CONFERENCE ON DISARMAMENT

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FINAL RECORD OF THE SEVEN HUNDRED AND THIRTY-SEVENTH PLENARY MEETING

Held at the Palais des Nations, Geneva
on Thursday, 6 June 1996, at 10 a.m.

President: Mr. Akram (Pakistan)

GE.96-62147 (E)

The PRESIDENT: I declare open the 737th plenary meeting of the Conference on Disarmament.

I have on my list of speakers for today the representatives of Poland, Ukraine, Algeria and China. I now give the floor to the representative of Poland, Ambassador Dembinski.

Mr. DEMBINSKI (Poland): Mr. President, I should like first to congratulate you on the assumption of the presidency of the Conference on Disarmament at a time when its painstaking negotiations on a treaty to ban nuclear-test explosions for all time have entered the final stage. With the building momentum in that regard, it is good to know that the heavy responsibilities of the presidency rest in the capable hands of an experienced diplomat and negotiator. You can rely on my delegation's full cooperation and support. I would be remiss without taking this opportunity to express to your predecessor, Ambassador Abuah of Nigeria, our appreciation for the effective and courteous manner in which he was discharging the demanding functions of his office.

The topic of my brief intervention today is the new negotiating format pursued in the Ad Hoc Committee on a Nuclear Test Ban which - hopefully - will help us bring the CTBT negotiations to a successful conclusion in a few weeks' time. More particularly, the reason for my taking the floor on this issue is to commend the Chairman of the Ad Hoc Committee, Ambassador Jaap Ramaker, for the manner in which he has been pursuing that process through intensive, open-ended consultations and in-depth examination of the issues concerned. As will be recalled, in one of my earlier interventions I had no hesitation to prod him towards such a course. It is, therefore, with great satisfaction that my delegation welcomes working paper CD/NTB/WP.330 of 28 May. We deem that document to represent a sound basis for the final effort to complete the treaty. We also believe its timing has been right.

While the contents of the Chairman's draft - the precise solutions suggested and their exact implications - are undergoing close examination in my capital, as they probably are in other capitals, we note with gratification the positive spirit in which that document has been placed before the Committee. Pending instructions from my Government, therefore on a tentative basis, I wish to voice my delegation's support for the main thrust of the draft CTBT text contained therein.

With the commencement of the second part of the CD session this year, it must have become evident for Ambassador Ramaker - as it has for many other delegations, including my own - that after more than two years of efforts pursued by the Ad Hoc Committee, by its Working Groups, the Friends of the Chair, Coordinators and Conveners, the scope of the negotiating format applied had been largely exhausted. Attempts at forward movement beyond the consensus areas recorded in part one of the "rolling text" were clearly disappointing. The Ad Hoc Committee in fact found itself moving in a vicious circle. The futility of the exercise became all too evident when a set of brackets removed from draft language was immediately compensated by multiple brackets reinserted elsewhere. Of course, the negotiating process that began grinding to a virtual impasse posed a serious threat to the recognized target date for

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completion of the CTBT. The new work format of the Ad Hoc Committee and the Chairman's subsequent draft treaty have brought that frustrating situation to a stop.

As we see it, the principal merit of the draft CTBT offered by the Chairman of the Ad Hoc Committee is that it rigorously builds on the consensus so far established in the CTBT "rolling text". At the same time, in regard to the key contentious issues, the open-ended consultations have proved sufficiently encouraging for the Chairman to propose draft language as a basis for possible compromise. By exercising his judgement, he offered the Committee a document that - in the view of my delegation - is a viable basis on which it can and should seek middle ground on the issues involved.

In their present form, some of these proposals - while basically commending themselves for serious consideration - could conceivably gain from minor improvements. Theoretically speaking, for instance, one could imagine preamble language that is perhaps less timid about the non-proliferation content of the CTBT, a composition-of-the-Executive-Council formula that responds more adequately to the concerns of all regional groups, or an entry-into-force provision that reconciles more effectively the dual requirement: that of universality of the CTBT, on the one hand, and that of its early entry into force on the other.

The proposals spelled out in CD/NTB/WP.330 - as we see them - are not offered on a "take it or leave it" basis. Without satisfying any particular position 100 per cent, they nevertheless offer a valuable and constructive basis for determined pursuit of purpose-oriented negotiations and honourable deals that - hopefully - will "make", not "break", the treaty we all profess to seek. To my mind - at the final stage of the CTBT negotiations - this is the right way to bring fresh momentum to the CTBT negotiating process. It would be desirable that it inspired a serious give-and-take bargaining process. My delegation is determined to cooperate closely with Ambassador Ramaker in his efforts to promote such a process and bring the CTBT negotiations to a successful conclusion by the end of this month.

The PRESIDENT: I thank the representative of Poland for his statement and for the kind words addressed to the Chair. I now have pleasure in giving the floor to the representative of Ukraine, Ambassador Slipchenko.

Mr. SLIPCHENKO (Ukraine): Mr. President, it gives me great pleasure to congratulate you on the assumption of your important functions and wish you every success in their discharge, especially as the Conference on Disarmament enters the final stage of the CTBT negotiations.

I have taken the floor at this plenary to bring to your attention the statement made by the President of Ukraine, Leonid Kuchma, concerning the completion on 1 June of the process of removal from its territory of strategic nuclear munitions. By virtue of this event Ukraine has become a non-nuclear State, thus implementing the relevant provision of the 1990 Declaration of State Sovereignty of Ukraine. Having strictly adhered to its obligations in accordance with its tripartite agreement, Ukraine rightly expects that its

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partners as well would honour in full measure their commitments concerning security guarantees for Ukraine, financial assistance for the purpose of nuclear disarmament and compensation for nuclear warheads.

Now let me proceed to read the statement of the President of Ukraine.

On 1 June 1996 the process of transporting strategic nuclear ammunition from Ukraine to the Russian Federation with the aim of its subsequent elimination under the supervision of Ukrainian observers was completed. Thus the Ukrainian State has demonstrated to the world its commitment to the idea of global nuclear disarmament, its striving by concrete actions to bring humanity yet nearer to those times when all nations of our planet will be able to live without the threat of nuclear extermination.

There was a time when the peopl e of Ukraine were compelled to finance an exhausting nuclear arms race during the cold war period at the expense of their well-being and economic development. Therefore, when Ukraine proclaimed its ownership of the nuclear weapons on its territory inherited from the former USSR, it did not regard those arms as an actual military force but first and foremost as material wealth which could recompense at least partly its losses. Independent Ukraine has never posed a nuclear threat to humanity.

The Verkhovna Rada (Parliament) of Ukraine was guided by this when in July 1990 it proclaimed that Ukraine would adhere to three non-nuclear principles: not to accept, produce or procure nuclear weapons.

This decision found its elaboration in all subsequent documents and practical steps taken by Ukraine in the field of nuclear disarmament, and so the withdrawal of the final nuclear ammunition from the territory of Ukraine is but its logical outcome as well as convincing evidence of Ukaine's consistent and predictable policy.

This historic event marks the timely and total fulfilment by our State of its commitments according to the Trilateral Statement by the Presidents of Ukraine, the United States of America and Russia of 14 January 1994 and is Ukraine's important contribution to the process of disarmament. This process, however, cannot be unilateral - it should be supported and complemented in the political and practical fields by other countries, first of all the nu lear ones. The complete liquidation of nuclear weapons situated in the territory of Ukraine provides a unique opportunity for carrying out the idea of a non-nuclear central and eastern Europe, from the Black Sea to the Baltic Sea. Its creation will promote the development of an atmosphere of trust among the countries of the region and will considerably reduce the threat of the emergence of new borders of division on the continent of Europe.

The assistance provided for eliminating nuclear arms is highly appreciated in Ukraine. While meeting its international obligations taken in this field, Ukraine faces a considerable number of problems which it cannot solve single-handedly. Therefore, having relinquished the third largest nuclear potential in the world, we have the right to expect that the assistance to Ukraine will also be provided after its complete fulfilment of

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the regulations of the Trilateral Statement by the Presidents of Ukraine, the United States of America and Russia of 14 January 1994. We count on long-term cooperation in this field for the benefit of all mankind.

The people of Ukraine, having suffered from the destructive consequences of the catastrophe at the Chernobyl nuclear power plant, realize only too well the substantial threat of a disaster posed to humanity by nuclear weapons. Ukraine is convinced of the rightness of its choice concerning its non-nuclear status and appeals to the rest of the States, first of all the nuclear ones, to follow the same road, to do everything necessary to remove nuclear weapons from the face of our planet as soon as possible and for ever. That is the end of the statement.

Concluding, I would also like to stress that through its landmark contribution to the cause of non-proliferation and curbing the arms race, Ukraine has proved once again that its membership in the CD is long overdue. At the same time, it has taken an active part in the search for a compromise resolution of the outstanding issue of the CD's expansion. We hope that the formula worked out would meet the concerns of all parties involved and that a positive decision on this issue could be taken without further delay.

The PRESIDENT: I thank the representative of Ukraine for his statement and for the kind words addressed to the Chair. I now have pleasure in giving the floor to the representative of Algeria, Ambassador Meghlaoui.

Mr. MEGHLAOUI (Algeria) (translated from French): I would like to begin, Sir, by congratulating you on taking up the presidency of the Conference on Disarmament and assuring you of the well-disposed support of the Algerian delegation. I am convinced that your qualities, both human and professional, will be a valuable and much appreciated asset in these particularly eventful and difficult times. I would also like to take this opportunity to thank your predecessor, Ambassador Abuah of Nigeria, for the commendable efforts he made to advance our work, and to express my delegation's wholehearted appreciation to him. Allow me also to extend a warm welcome to the new Ambassador of Ethiopia, His Excellency Mr. Fisseha Yimer, to whom I would like to repeat my expressions of friendship.

It was not my intention to take the floor at today's plenary meeting. However, certain elements brought to my attention at the beginning of this week prompt me to do so in order to broach once again the question of the expansion of the Conference on Disarmament. I will confine myself basically to recalling statements already made by my delegation on this important issue.

On 1 February 1994, as I took my first steps in this Conference on Disarmament, I made the following statement before this august assembly:

> "My delegation deeply regrets that the Conference on Disarmament was not able to overcome the obstacle that prevented its expansion last year. The delegations that had expressed their wish to become full members of the Conference found in Ambassador O'Sullivan the faithful spokesman of their concerns and the conclusions that he arrived at still enjoy our full support. We fear that the introduction of elements that

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are alien to the concerns of our Conference in the handling of the expansion issue might block this process indefinitely and cause the Conference to lose some of its credibility. The delegations of the 23 selected States have submitted a compromise proposal. This does them credit. It shows yet again the determination of these States to contribute to the work of the Conference. We are fully aware of this and we continue to hope that a solution may be found in the coming weeks" (extract from document CD/PV.668 of 1 February 1994).

On 18 August 1994, I returned to the question of expansion in the following terms:

"Despite the laudable efforts of Ambassador Lampreia, efforts which we welcome, the problem of the expansion of the Conference on Disarmament has not had a positive outcome. Yet again this year the developments have not been fruitful. The lack of any alternative to the conclusions and recommendations of Ambassador O'Sullivan seems clearer now than ever. We think that it is time to respond to the resolve of States to become members of the Conference. The immediate increase of the number of member States to 60 should be complemented by the establishment of machinery that would allow the regular and controlled expansion of this forum.

"We agree with those who have asserted that the world has changed. This is so evident that no particular effort is needed to reach this conclusion. One of the consequences of this new situation, we thought, should be greater democratization of decision-making in international bodies" (extract from document CD/PV.688 of 18 August 1994).

In addition, I cannot fail to remind you of the support the Algerian delegation expressed for the decision on expansion on 21 September 1995 (the decision contained in document CD/1356). On that occasion I stated, inter alia:

"My delegation fully subscribes to this decision. It constitutes a step forward towards solving this problem of expansion which has been before us for a long time.

"Since the O'Sullivan report was published, my delegation has lent full support to the admission to the Conference on Disarmament of the 23 countries concerned. We think that it is high time that this Conference was expanded. Indeed, this has become a necessity. This Conference negotiates international legal instruments of universal scope. The more countries are involved in the negotiations, the better the chances of making the agreements concluded universal. It is true that consensus will be harder to create, but once achieved it will be all the more solid - I am tempted to say more legitimate. We understand the concern expressed by certain delegations regarding respect for balances within the Conference, particularly geographical and political balances. However, we believe that the desire of each member State of the international community to become a member of the Conference on Disarmament is legitimate."

(Mr. Meghlaoui, Algeria)

You will note that in the statement to be found in document CD/PV.688 the Algerian delegation not only stressed the need for immediate admission to the Conference on Disarmament of the countries appearing on Ambassador O'Sullivan's list, but also put forward a proposal unambiguously indicating that it is prepared to go beyond that list, in accordance with rule 2 of the rules of procedure of the Conference, which provides that "the membership of the Conference will be reviewed at regular intervals". We cannot disregard the fact that other countries which are not among the 23 are candidates for admission to the Conference on Disarmament because they include friendly countries which do not fail to remind us of this fact whenever the occasion arises.

I would conclude by expressing the hope that these reminders will dispel the doubts which have troubled the head of a member delegation of the Group of 23 with respect to Algeria's position on the question of the expansion of the Conference on Disarmament. My delegation is fully aware of the difficulties which prevented the attainment of a satisfactory solution, which it has always pursued. It is also aware that the role we all have here is to seek means of overcoming difficulties which arise. And this is the moment to emphasize that the Algerian delegation is one of those which help to fashion consensuses, not one of those that defeat them. Lastly, I wish to remind you that our President is mandated to conduct consultations on the question of the expansion of the Conference on Disarmament. My delegation remains constantly ready to consider with the greatest care any politically and legally acceptable formula which may be presented to it. And it will do so above all in a spirit of transparency in order to avoid any misunderstanding, which in the circumstances could only be highly unfortunate.

The PRESIDENT: I thank the representative of Algeria for his statement and for the kind words addressed to the Chair. I now give the floor to the representative of China, Ambassador Sha.

Mr. SHA (China) (translated from Chinese): Mr. President, may I begin by most warmly congratulating you on taking up the Chair of the Conference on Disarmament? China and Pakistan have long enjoyed friendly relations and cooperation, characterized by mutual understanding and support, in international affairs in particular. This relation is based on the five principles of peaceful coexistence and has withstood the test of time. In international affairs our relationship can serve as a model for State-to-State cooperation.

A deep friendship has also been forged between the Chinese delegation and the delegation of Pakistan as well as between myself and you, Sir. The Chinese delegation is convinced that, with your outstanding diplomatic skill and your profound understanding of international affairs, you are sure to guide this session of the CD to a successful conclusion and play a leading role at the critical juncture of the CTBT negotiations. I would like to assure you of the full cooperation of my delegation. I also wish to take this opportunity to welcome our new colleague, Ambassador Fisseha Yimer of Ethiopia, and look forward to cooperating with him and the Ethiopian delegation.

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We have entered the final stage of the CTBT negotiations. After two years of hard work we have finally come to see the light at the end of the tunnel. Needless to say, we are still faced with some important outstanding issues. These issues can only be resolved through genuine negotiations by all the interested parties. The Chinese delegation is convinced that, as long as all parties negotiate in good faith with an attitude of mutual respect and the necessary flexibility, we would be able to live up to the high expectations of the international community and conclude the CTBT by the end of June. The Chinese delegation is ready to make unremitting efforts towards this objective.

The CTBT has a direct bearing on China's fundamental security interests. Admittedly the world situation has undergone drastic changes as compared to the cold war era. However, hegemonic ambitions are still there and the habit of interfering with other countries' internal affairs has not changed. Programmes to preserve and maintain the largest nuclear stockpiles for the seeking of perpetual nuclear superiority are well under way, and the pursuit of the policy of nuclear deterrence based on the first use of nuclear weapons is yet to be discarded. In these circumstances China has undertaken certain risks, both politically and in terms of its own security, in agreeing to negotiate and conclude a CTBT. However, in order to promote nuclear disarmament and nuclear non-proliferation and in response to the call by the broad non-nuclear-weapon States, the Chinese Government has made a political decision to participate in earnest in the CTBT negotiations. The objective of China is to conclude a treaty of equality, a treaty that is universally acceptable and a treaty that does not prejudice China's legitimate security interests. For this purpose, the Chinese Government has adopted a very serious and responsible attitude towards the negotiations. In order to facilitate the early conclusion of the CTBT, China is ready to make the necessary compromises, but these compromises cannot go beyond the limit of the requirements of China for its basic national security interests. In the following I would like to explain the position of the Chinese Government on some major issues in the CTBT negotiations.

First, scope and peaceful nuclear explosions. No arms control or disarmament treaty should hinder the scientific and economic development of its States parties. This is a universally accepted principle. As a technology with enormous potential, PNEs, if used properly, can play a dynamic role in promoting the economic development of some countries. This is of special significance for China - a populous country with a large territory but relatively scarce natural resources. We cannot agree to ban a promising technology just for the sake of banning nuclear-weapon test explosions. As the saying goes, the baby should not be thrown out with the bath water - a simple wisdom. China's original intention in raising the issue of PNEs remains unchanged. The concerns that PNEs are not easily distinguishable from nuclear explosions for military purposes, and that they may have an adverse effect on the environment, are fully shared by us. However, we do not think these problems are insurmountable. Although we still need to be convinced by the various counter-arguments, we also recognize the fact that the CTBT negotiations have reached their final stage, and in order to facilitate the conclusion of the treaty within the time-frame as planned, the Chinese delegation is now ready to go along with a temporary ban on PNEs, China can

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agree to a treaty provision that the possibility of permitting the conduct of PNEs shall be considered by the review conference of the States parties. If all the States parties agree to permit the conduct of PNEs by consensus, the conference of the States parties shall immediately commence its work with a view to agreeing on arrangements for the possible approval and conduct of such explosions. The arrangements shall preclude any military benefits and shall be consistent with the obligations of States under other international agreements.

This is a major move of flexibility by the Chinese Government for the sake of an early treaty. It is China's hope that other countries will seriously consider this formulation and reciprocate with the same spirit of flexibility. If consensus can be reached on this, China will be in a position to consider favourably the scope language contained in CD/NTB/WP.222, which in essence bans any nuclear weapon test explosion and any other nuclear explosion.

Second, nuclear non-proliferation, nuclear disarmament and security assurances. Nuclear non-proliferation and nuclear disarmament constitute two of the basic objectives of the CTBT, which are equally important and indispensable. For the sake of nuclear non-proliferation, it is essential to condition the entry into force of the treaty on the joining by all those States technically capable of conducting nuclear explosions. Therefore, on the issue of entry into force, the Chinese delegation supports any proposal consistent with the above principle. Likewise, the Chinese delegation is against any proposal which will negate or weaken the principle, such as the so-called waiver clause. Nuclear disarmament is an issue that the CTBT cannot evade. China has always stood for the early elimination of all nuclear weapons and regarded the CTBT as a concrete step towards this objective. For this reason, China supports the position of the G-21 that some language on nuclear disarmament be included in the relevant part of the treaty. Due attention should also be given by the treaty to negative security assurances to non-nuclear-weapon States and agreement among the nuclear-weapon States not to be the first to use nuclear weapons against each other. At the beginning of the negotiations, China advocated a separate article in the treaty on this issue and tabled a textual proposal. As another gesture of flexibility, the Chinese delegation now agrees to withdraw the proposed text. However, China's political position remains unchanged, and we continue to insist that these ideas be reflected in the preambular part of the treaty.

Third, the trigger mechanism for on-site inspections. The last and most important issue I would like to talk about is the trigger mechanism for OSIs. This issue touches upon the security interests of all States parties and it exemplifies the principle of equality and justice of the treaty. Therefore, whether we can successfully conclude a CTBT and whether the treaty can attract universal adherence will, to a large extent, depend on whether we can resolve this issue properly. In order to settle this issue, it is essential to tackle properly the relationship between the basis for a request and the decision-making procedure of the Executive Council. The international monitoring system is a result of joint efforts by experts from many countries and will operate under the supervision of the Technical Secretariat of the future treaty Organization. Its facilities and data will be calibrated and

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certified by the Technical Secretariat. Therefore, data obtained by the IMS will normally be reliable, and should serve as the primary basis for triggering an OSI. At the same time, we recognize that, globally speaking, there is a gap between the capabilities of the IMS and the verification requirements of the treaty, owing to factors like financial constraints. This gap should not be overlooked, of course.

In this connection, NTMs may have a supplementary role to play. However, the problem is that the NTM capabilities vary greatly from country to country in terms of quantity as well as quality, since countries are at different levels of development. A large number of developing countries have no or very few NTMs suitable for this treaty, unlike a small number of developed countries. If these latter countries are allowed to use NTMs without any restriction, then the large number of developing countries will inevitably be subjected to discrimination. It doesn't take much common sense to know that the countries that have strong NTMs will not use these means against themselves. The likely target countries of NTMs may well be the developing countries, particularly those perceived as a "threat". What is more important, as they are under national discretion, NTMs are inherently selective and discriminatory. Due to such a nature, if NTM data are used as the sole basis for triggering an OSI, this may easily open the door to possible abuse of the right to request an OSI, which will seriously undermine the solemnity of the verification system and even the treaty itself. Therefore, necessary restrictions have to be imposed on the use of NTMs. The Chinese delegation is of the view that, if NTM data are to be used as a part of the basis for triggering an OSI, they must be technical in nature, reliable, verifiable and obtained in keeping with universally accepted principles of international law. Such data should also go through a process of strict technical and political examination. The Chinese delegation is categorically against triggering an OSI with so-called human intelligence. OSIs will be politically sensitive and to a certain extent may infringe on the sovereignty of the inspected States parties. Therefore, OSIs can only be the last resort of the verification system, used under extreme circumstances. This makes an OSI a rare rather than a routine event. For this reason the treaty should, on the one hand, provide for the necessary procedures of consultation and clarification, so as to avoid unnecessary OSIs, and on the other hand, establish a stringent decision-making process for the EC to review and approve OSI requests, so as to prevent as far as possible any abuse of OSIs.

There are now on the table several proposals on the Executive Council's decision-making process. There is a "red light" option, which will mean automatic launching of an OSI unless the majority of the EC members disapproves. There is a "green light" option, under which a request for an OSI should be approved by a certain majority of the EC members. There is also an option of mixing the green and red lights. For the "green light" option, there is also a difference in the intensity of the colour, that is, simple majority or two-thirds majority. I would like to point out that since an OSI is a last resort of the verification system, the launching of an OSI can only be considered as a substantive issue in the EC. One may ask, if such an issue is not a substantive issue, what other issues can be considered as substantive in the EC? Considering the inherent nature of OSIs, and especially the fact

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that NTMs may play a certain role in triggering an OSI, the Chinese delegation firmly believes that, in order to ensure the justice of OSIs, an OSI request must be approved by a two-thirds majority of all EC members before an OSI can be conducted. Some expressed the concern that, if the decision-making process of the EC is too strict, this may delay the arrival of the inspection team at the inspected area, hence weakening the effectiveness of an OSI. The Chinese delegation believes that such a concern can be addressed and might be unwarranted. According to the report of the OSI expert group submitted in December 1994 (CD/NTB/WP.198), for xenon gas, which is the most time-critical phenomenon of a nuclear explosion, so long as the inspection team arrives at the site within two weeks after the event takes place, good detection probability can be achieved. This has provided a sound scientific framework for the design of various time-lines. My delegation is convinced that through discussions we can find a proper solution which on the one hand will ensure the effectiveness of an OSI and on the other hand will provide sufficient time for deliberations in the EC.

Only three weeks are left before the end of June, when the negotiations are expected to be concluded. Let us exert maximum efforts and concentrate on the negotiations so as to fulfil the task entrusted to us by the international community. The Chinese delegation will spare no effort in this regard.

The PRESIDENT: I thank the representative of China for his statement and for the kind words addressed to the Chair. I now give the floor to the representative of Chile, Ambassador Berguño.

Mr. BERGUÑO (Chile) (translated from Spanish): Originally I put my name down on the list of speakers to make a general statement on a variety of disarmament issues, and in particular the issue addressed by Ambassador Dembinski with much greater rigour and precision, in support of the new text presented by our Chairman of the Ad Hoc Committee on a Nuclear Test Ban. However, after listening to the major statements made this morning, first and foremost the statement made by Ambassador Sha which we have just heard, I have decided to postpone the statement which, on instructions from my Government, I planned on this and other disarmament issues.

The reason for asking for the floor on this occasion is the very interesting and well-documented statement which Ambassador Meghlaoui of Algeria made concerning his own experience, which is certainly the experience of many other members of the Conference on Disarmament, but in which he showed how, over the passage of time, the question of expansion has been a recurrent feature in which he personally has held to the same position of integrity. His closing statement, to the effect that he is always willing to accept a politically and legally acceptable formula, is received with the greatest of pleasure by my delegation, particularly bearing in mind his experience, which he himself referred to.

I consider that it is important at this point to avoid any confusion as to those for whom I am spokesman or representative, as I often act as representative of the Group of 23 countries, and, as a representative of only one of those countries, I should like to say something which I trust will be very clearly understood. The only politically and legally acceptable formula

(Mr. Berguño, Chile)

is that of the straightforward implementation of decision CD/1356, that is, the establishment of a precise deadline for the definitive entry of the new members who make up the approved membership of the Conference on Disarmament; and, in that connection, I would like to express my thanks publicly and warmly to the Ambassador of Argentina for putting document CD/1403 before this Conference for its consideration. I think that the proper response to Ambassador Meghlaoui's statement is to be found in that document. No other element or associated condition - and you, Sir, have received from me a set of background information concerning elements which could provide a spatio-temporal context for the attainment of the goal for which we are striving, which is the adoption of this decision pure and simple - none of these elements can constitute or form part of the decision. Nothing can or should be added to this decision; this I feel is completely fundamental and any other element is part of a sovereign decision by sovereign nations.

In the time that I have been attending the Conference on Disarmament, engaged in a learning process in the Conference, I have on a number of occasions observed a by no means subtle tendency to drift towards aspects which are the preserve of States. It is very important on this point that the position of my country, at least, should be made known - a position expressed in the terms which I have just set forth: that only the unqualified, direct, unequivocal implementation of decision CD/1356 is appropriate for consideration and approval by this Conference. Any other element which may have been considered, analysed or consented to with a view to facilitating this decision pure and simple is a matter that can be made known and one which my delegation and surely other delegations will always be prepared to explain as fully as possible; and one which can be the subject of debate, analysis, any examination, since this is a free forum; but one which cannot and should not, in any way, be connected to what has been sought from the Conference for a long time, and that is final approval of the entry of 23 countries which were selected in 1993 and which are still awaiting that decision.

Mr. BENJELLOUN-TOUIMI (Morocco) (translated from French): First of all, Mr. President, I would like to congratulate you on taking the Chair. I am sure I will have occasion to do so at greater length and to congratulate your predecessor.

I hesitated before taking the floor today on this extremely important subject of the expansion of the Conference, since Morocco focused on this issue during its term in the Chair. Hence it is difficult for my delegation to imagine that anybody could say that we are not in favour of expansion, right away. But, since I have always been frank with the members of the Conference, the Group of 23 and the other candidates, I will venture to be very frank once again with them and tell them, to use the football expression, "You are fumbling the ball", because the way in which the draft decision has been put before us shows great clumsiness which may - I emphasize may - create problems in our capitals. You presented documents with more than one version, and that is unfortunate because transparency is the rule in a Conference on Disarmament where people are very mistrustful. This is what I have learnt in spending a few months here; we receive documents which are incomplete, and I discover that members of the Conference have other documents that are longer

(Mr. Benjelloun-Touimi, Morocco)

containing provisions which are controversial to say the least. None of this produces good results although you have right on your side, you have everyone's sympathy and everyone's acceptance.

I regret that you have approached the matter in this way, I do not even understand why it is a country submitting this text - it ought to be a consensus text from the President. I am very pleased that my friend Ambassador Sánchez Arnau is submitting it, but I do not understand why; the impression is that something is being prepared in the wings. I think things should be done calmly. Well, this calm approach is that this decision is only the tip of the iceberg which you and I and many others around the room, both in the inner circle and outside, have discussed at great length. It is a package - you should show it to us because we have talked about it for months, and we have to know what we are committing ourselves to. If you tell me that the decision is the only thing that is important, we could have settled the matter years ago. I do not think that it stops at that decision, and I must say very openly that the reference to Chapter VII of the United Nations Charter - I said this to the United States Ambassador, at the press conference which I held as President of this Conference, I repeated that any reference to Chapter VII is unacceptable for the simple reason that Chapter VII of the United Nations Charter is sufficient to itself. You cannot cite the fact that the provisions of Chapter VII are being applied to a country as grounds for depriving it of other rights. My country cannot accept that way of looking at things, and I take the liberty of saying to you, without pressing the point, that if you want to do things properly you ought to send your package to the United Nations Legal Counsel for an opinion, to see whether it is in keeping with the rules of procedure of the Conference. I am not sure that you will get an affirmative answer.

That said, I repeat, my country is in favour of expansion, but provided that I am given all the documents in a transparent manner and that we have the time to think about it before we adopt it. I am ready to adopt it, I am ready to swallow the pill, because quite frankly your papers are hard to swallow. I am willing to accept a little game-playing because there are important political considerations to bear in mind, to swallow the interpretation given to the text, and I think that Ambassador de Icaza of Mexico set them out clearly to us. I am willing to swallow two pills but not three. The reference to Chapter VII is unacceptable as far as we are concerned because that would mean compromising not our rights here, but the rights of all Members of the United Nations. Chapter VII, the Conference on Disarmament and a different forum are not things that should be mixed. I will ask the secretariat, Mr. Bensmail, who was at the press conference with me, to provide interested delegations with a copy of the transcript of the press conference in question. Hence I am not inventing anything - these are matters which are generally known. So if I am presented with a paper which speaks of the "structure of the letter" that does not reflect the controversial passages of the text of the letter in question, which does contain a reference to Chapter VII, I find that unacceptable. That is not transparency, and I regret it, whilst remaining in favour of expansion, while wishing to help ensure that it is put into effect next week. I do not know when it will be possible, but I deplore the fact that these methods are being used here.

Mr. SELEBI (South Africa): Mr. President, as this is the first time that I am taking the floor under your presidency, may I take this opportunity to congratulate you on your assumption of this office?

I have asked for the floor simply to speak for ourselves. It seems to me that we have heard others speak for us. It is about time that we spoke for, and represented, ourselves. The issue of the expansion of the Conference on Disarmament is one of national interest for South Africa, as it is for another 22 countries represented in this chamber. Whilst we acknowledge the right of States to consult with their capitals and to seek instructions, I believe that our rights and interests should also be acknowledged. The Conference on Disarmament will recall that the Group of 23 has waited for three years for the question of membership to be resolved; individual countries within our ranks have in fact been waiting for decades. It is therefore not out of order for us to ask that the matter be resolved with a minimum of further delay.

My request for an expeditious resolution of this matter is further based on the fact that the only decision which will be put to the Conference on Disarmament is a so-called clean decision. Members are only being asked to implement decision CD/1356, admitting all of the Group of 23 countries to the Conference as full members with all - I repeat all - of the rights which this entails. We submit that the only question which needs to be answered is whether or not full membership should be granted to all of the 23 countries, without exception.

The declaration and the letter are to come about in the implementation of our national sovereignty. They will not form a part of the decision, nor - as I believe is being speculated - will they be "tabled" together with the decision. The declaration will in fact only be made in anticipation of the above-mentioned decision being adopted. The letter - which is a communication between only the signatories and the President of the Conference on Disarmament - will be delivered only after and on condition that the clean decision is adopted. As is the case with any other country represented here, we claim the right to decide how we are to implement the full rights of membership. The declaration will be made and the letter will be signed in an exercise of these rights.

The argument that this proposal creates a precedent is therefore not correct. The manner in which we are going to use our right to block or not block consensus is being decided by ourselves. This is not a part of the decision, nor is it being imposed by the CD. For it to be a precedent and for it to be repeated elsewhere will again require a State or group of States to decide for themselves to exercise their rights in this way as an act of national sovereignty. Delegations may have reservations about how we choose to use our rights as full members of the CD, but this cannot be used as a reason to prevent us from gaining membership. Delegations which are unhappy with this are welcome to say so, as it is our right to criticize the decisions of others. Using their unhappiness with this solution as a reason to prevent membership would be a restriction on our sovereign right to exercise our rights of membership as we deem fit.

(Mr. Selebi, South Africa)

The view that the contents of the declaration and the letter may be extrapolated to apply to other countries is also incorrect. It can only apply to those which have made the declaration or signed the letter - the commitment is by those who have made it. For it to apply to another delegation would require that delegation to make a separate declaration while exercising its sovereignty and its rights of membership.

The claim that this solution creates two classes of membership is also wrong. The solution was specifically designed to avoid this - the Group of 23 will be given full membership and all of the rights which current members enjoy in terms of the clean decision. The decision as to how we are going to use those rights is being made by ourselves and not by the CD. Any attempt by members to arrogate to themselves the right to decide how we as sovereign States should exercise our rights, by deciding whether or not we can take the steps which are intended, is in fact an attempt to limit our rights.

As I have said, this issue is of national interest for South Africa. It is a matter which has been raised with and has received the attention of my President. In fact, as we speak now, it is again receiving attention in the highest levels of Government in South Africa. We hope that we will be able to arrive at a conclusion of this matter at the earliest possible time.

I am ready to distribute the text of what I have read now to enable those that seek clarity, those that seek to consult their capitals, to do so.

The PRESIDENT: I thank the representative of South Africa for his statement and kind words. I have another request for the floor from the representative of Cuba, Ambassador Caballero.

Mr. CABALLERO (Cuba) (translated from Spanish): Mr. President, we have before the Conference a draft decision in document CD/1403. I would appreciate if you would clarify whether we are already considering this issue or whether you are considering inviting the Conference to consider this text, because if we are considering the subject, my delegation as the Coordinator of the Group of 21 would have to make a statement.

The PRESIDENT: I thank the Ambassador of Cuba. I also have a request from the Ambassador of Austria to speak. After the distinguished Ambassador of Austria, it is my intention to give the floor to the Ambassador of Argentina, who will introduce document CD/1403, after which we can hear further statements on that, if they are required. I would, therefore, now call on the representative of Austria, Ambassador Kreid, to take the floor.

Mr. KREID (Austria): Mr. President, let me also set out by congratulating you on assuming this important task, and as we can all see now at this very moment it is not the easiest of tasks. But I trust that under your guidance we will manage to solve many of the questions including the one of expansion. I have no prepared statement because my delegation was not really prepared for this situation to arise. I believe that, listening to the Ambassador of Morocco, there has possibly been a certain lack of, as he called it, "transparency", or maybe the way in which we presented our draft decision here was not exactly in the way which he would have preferred. Now, I would

(Mr. Kreid, Austria)

only want to say very briefly that my country - and I am convinced that the other delegations of the G.23 countries would also be ready to do that - are willing to explain in detail what prompted us to go along with the procedure which, by now, must be known to everybody in this room. I can only stress that we fully agree with the interpretation given here by the Ambassador of South Africa, that there is nothing hidden, there is nothing which we are keeping from delegates here and which will only be made public later on. What we are doing, and what my Government as well as other Governments has thought completely acceptable, is to make a decision within our sovereign rights which will not reflect on our legal status in the Conference as members. I can only insist on this particular point: I believe that nobody, no other country, can take issue with the fact that another State decides to adopt a certain position outside the legal situation in which we will find ourselves as full members.

The PRESIDENT: I thank the Ambassador of Austria. I think that, at this moment, it may be appropriate for me to call on the distinguished representative of Argentina to introduce the document about which comments have already started to be made. I give the floor to Ambassador Sánchez Arnau.

Mr. SANCHEZ ARNAU (Argentina) (translated from Spanish): Mr. President, I intended to begin my statement by saying that there was no need to express our satisfaction at seeing you in the Chair of this Conference since your professionalism was to be of great value in order to be able to guide our proceedings at this crucial juncture. I think that this initial phrase in what was to be my statement becomes all the more important after some of the statements which we have heard. And it is also much more important that we should keep the proceedings of this Conference within the tracks which have normally been followed and one of these tracks indicates that the order in which items are considered is agreed in advance in the Presidential consultations, and in the Presidential consultations we held yesterday we had agreed to follow a certain procedure in the discussion of this specific issue of expansion, enabling us to introduce a draft decision supporting the just aspiration of the countries which have been waiting for more than three years to be able to become members of this Conference, and that afterwards we would suspend the item to allow various delegations time to be able to consult their respective capitals concerning this decision and all its implications, seek instructions and be able to return to the matter at a later meeting. Unfortunately, for reasons I am unaware of, we departed from that procedure and we embarked on a debate which in fact is taking a path which is not necessarily the constructive path that we are seeking and that we were trying to keep to in presenting this draft decision, so that we can in fact finally make a reality of the expansion of the Conference, an objective in which - I believe we cannot delude ourselves - we have been failing up to now despite the various attempts made by various coordinators or Friends of the Chair in this matter. We have made progress - today we have a list of 23 countries which have almost got their foot in the door of the Conference, but which cannot manage to become members of it. The draft decision introduced by my delegation, with the greatest good will, with the aim, on the one hand, of attempting to facilitate analysis of this issue in capitals, and secondly to make possible what we think should be a definitive decision on this matter,

(Mr. Sánchez Arnau, Argentina)

has been introduced, is before the Conference and, as we had agreed at the Presidential consultations held late in the afternoon yesterday, we hope that this matter can be brought back for discussion and approval by the Conference, if possible at the next session of this plenary.

The PRESIDENT: I thank Ambassador Sánchez Arnau of Argentina for his statement and would confirm the understanding reached in the Presidential consultations. It was my hope that this understanding would have been shared with all the members of the regional groups. It is not, of course, in the powers of the President to deny anybody who seeks to have the floor and, of course, one statement evokes another and that has given rise to the situation that is with us now. I have a request from the representative of the United Kingdom, Ambassador Sir Michael Weston.

Sir Michael WESTON (United Kingdom of Great Britain and Northern Ireland): Forgive me, Mr. President, if I don't waste time with the usual courtesies. I asked for the floor to say that the United Kingdom fully supports the proposal that the 23 countries favoured by Ambassador O'Sullivan should be admitted immediately and unconditionally. As we see it, this would be a step towards the admission of all those countries who have applied to date. To make this point clear, I would like to suggest a short oral amendment to the Argentine draft decision. It would come at the beginning of the draft and would simply say: "Recognizing the legitimate aspirations of all candidate countries to participate fully in the work of the Conference," and then there would be a comma and a lower case for the "the", and the draft decision would go on as it stands. This language is, I think, consensus language. It is not doubly hallowed, it is not taken from SSOD.I, but it is consensus language. And I would be grateful if delegations would consider it together with the Argentine draft decision. I should, however, make clear that if our proposal does not find favour with all members of the Conference, then we shall be prepared to withdraw it, by which I mean that the acceptance of our proposed addition is not a precondition for our agreement to the Argentine draft decision.

The PRESIDENT: I thank Ambassador Weston for his statement and especially for not wasting time. I have three more speakers on my list: the distinguished Ambassadors of Morocco, China and Cuba. Morocco has the floor - Ambassador Benjelloun-Touimi.

Mr. BENJELLOUN-TOUIMI (Morocco) (translated from French): I simply wanted to make a few comments because, having studied this question a little, I am surprised that it has just been discovered that each State's sovereignty is its own - I have no problem with that. As to the way in which this was presented, referring to the statement made by the Ambassador of Austria, any presentation of this text which would lead to results suits me - it just has to be done correctly.

I would like to go a bit further with the thinking which has been presented to us today to try and understand things better. In fact, you are asking us to adopt a decision, which you describe as a "clean decision". In that case I am wondering, since it is your sovereign right to censor yourselves - you don't even have to tell us - why do you want to tell us this?

(Mr. Benjelloun-Touimi, Morocco)

We don't need to know since it is your sovereign right; you do what you want with it. Once you have been accepted in the Conference, you have a veto. You have the right to do what you want, but if you do not want to exercise it, that's your right. You don't even have to tell us about it, we don't want to know about that. And don't tell the President that either, because our President represents us all. Do you think the President represents Pakistan? The President represents the members of the Conference. So why do you want to write to him? You don't need to write to him. Maybe you are going to write to a country I am not going to mention which has problems, but not to the President of the Conference, because the President represents each and every one of us around this table, and we don't need to know if you want to cut down your rights; that's your problem. But if you want to cut down your rights and in addition act counter to certain principles of the law, then that's even more difficult to swallow. So please, when you develop your arguments as you have just done, noting that it is your sovereign right not to block the consensus, I accept that - as you know, this is one of the solutions which Morocco tried to pursue while in the Chair. But for you now to come along and tell me: "We are just going to inform the President, and you don't need to know any more than that", then my reply will be: "No, don't inform the President, because the President is obliged to report to us. He is not there to talk to his own authorities, he is there to talk to the members, which you will also be later". The President does not act in his personal capacity. So everything you do subsequently in informing the President, we have the right to discuss it, to assess it and not to appreciate it.

Mr. SHA (China) (translated from Chinese): The expansion of the membership of the CD is obviously an important issue. On this issue the Chinese delegation has consistently held that all countries have the right to participate fully in the work of the CD as equal parties. The Chinese delegation fully understands, respects and supports the application of the 23 countries to participate in the work of the CD. As a matter of fact, the Chinese delegation has always believed that the Group of 23 countries should immediately participate in the work of the CD without any conditions. It is because of well-known factors that this objective has not been achieved so far.

It is only 20 hours since my delegation received the news about document CD/1403. The Chinese delegation knows nothing about the preparation of this draft decision. In view of the importance of this issue, my delegation needs to report back to the Chinese Government about this draft decision and any explanation given concerning this document and seek instructions thereon.

Finally, my delegation would like to express our hope that an early and satisfactory solution acceptable to all will be found to this issue.

Mr. CABALLERO (Cuba) (translated from Spanish): If there are no other delegations down to speak, perhaps my request for the floor is not necessary. What we wish to propose is that we follow the agreement reached in the Presidential consultations yesterday, and in that regard we support the proposal made by the Ambassador of Argentina, that is that all delegations should be given time to hold appropriate consultations and that the issue should be taken up again as soon as possible.

The PRESIDENT: I thank the Ambassador of Cuba for his statement. I had two further names listed to speak. It is my intention to give them the floor and then to conclude this discussion, if that is agreeable. The two speakers I have are the distinguished Ambassador of Chile and the Ambassador of South Africa. Ambassador Berguño of Chile has the floor.

Mr. BERGUÑO (Chile) (translated from Spanish): My delegation does agree of course with the procedures decided on in this Conference, under your leadership, Mr. President, and in that regard we fully endorse what was said both by Ambassador Sánchez Arnau of Argentina and by Ambassador Emelio Caballero of Cuba. We are fully convinced that if delegations wish to have further information and need time, or if they require a fuller explanation of a matter which as far as we are concerned is already fairly clear, they are entitled to ask and we are prepared to provide it.

The reason for requesting the floor once again is to state that my delegation cannot accept the words of the distinguished Ambassador of Morocco. It seems to us that no member of the Conference on Disarmament is in a position to give, or should give, lessons to the other members or the non-member States participating in the work of the Conference. We need no lessons with respect to our independence in the exercise of our sovereignty or the measures that we take. The President of the Conference has an important function to perform, and I absolutely agree with Ambassador Benjelloun-Touimi in that respect. If plans have been made to send you a letter, Sir, a letter which we will send only if the indivisible and integral connection is achieved with the decision that has been presented, that is, only if we are admitted, it is our prerogative to write to the President. The reason for writing to the President is to convey formally to the Conference information which we considered might be important: that a group of countries wishes to refrain from exercising a right (which they are not renouncing) for a given period of time. This is a major contribution to the work of the Conference, the pursuit of the negotiations, and we are sure that it ought to be welcome. What we cannot continue to accept or tolerate, and my country will not tolerate it, and I wish to say so, that on those terms my country would have no interest in being part of this Conference on Disarmament if, whenever we take an action, whenever we adopt an initiative, whenever we commence a procedure, we have to comply with or limit ourselves to the lessons which we are offered, no doubt in a well-intentioned but quite inappropriate manner.

Mr. SELEBI (South Africa): If there was any delegation that did not want to hear about our declaration, about the letter we propose to write, a simple way of not wanting to hear is to put your fingers next to your ears so that you do not hear. We thought that there are many delegations that are interested in hearing about what we are proposing to do. We have received complaints about lack of transparency, and it was in an attempt to be as transparent as possible that we elected to speak about the procedure in this meeting. Surely we know what sovereign rights we exercise and, like the delegation of Chile, delegations would do well to keep away from being little teachers. We don't need little teachers.

The PRESIDENT: I thank Ambassador Selebi for his statement. If there are no further speakers - and I hope there are none on this issue - I think we have taken note of all the statements that have been made. The consultations to which reference has been made have indicated that more time is needed by delegations to receive instructions from their capitals, and therefore I suggest that we will revert to this matter as early as possible and hopefully - and that is a fond hope - at our next plenary meeting.

We can now turn to the paper which has been circulated by the secretariat at my request, which contains a tentative timetable of meetings to be held next week. This timetable was prepared in consultation with the Chairman of the Ad Hoc Committee on a Nuclear Test Ban, as is evident, and is, as usual, merely indicative and subject to change if necessary. Meanwhile, Ambassador Ramaker of the Netherlands has asked to take the floor for an organizational announcement on tomorrow's meetings on the CTBT negotiations.

Mr. RAMAKER (Netherlands): As you indicated, Mr. President, I just wanted to make a brief announcement of an organizational nature in my capacity as Chairman of the Ad Hoc Committee on a Nuclear Test Ban. We agreed in the open-ended Bureau meeting two days ago that I would consult on how best to fill the time for the negotiations for the last day of this week of our work, namely, tomorrow, Friday, 7 June, and we have been doing so. I just wanted to announce that there will be a small change in tomorrow's programme, and that is the following: instead of having in the afternoon the meeting of the Ad Hoc Committee on other issues following the open-ended Bureau meeting at 3 p.m., Ambassador Zahran of Egypt will continue his work on the preamble. So the whole programme for tomorrow would look as follows: the morning would remain unchanged. So therefore, there would be only the meeting of the Friend of the Chair on the Prepcom starting at 10 a.m. in this room. Then, at 3 p.m. in the afternoon, we will have an open-ended Bureau meeting, as in the programme also, followed by the meeting of Ambassador Zahran on the preamble. So, the Ad Hoc Committee meeting that was foreseen for tomorrow afternoon in the timetable will be moved to Monday and that, of course, is still to be announced in the open-ended Bureau meeting of tomorrow - the one I just mentioned - and in that meeting of the Ad Hoc Committee I would like to begin with scope and then, time permitting, go on to the other issues. So I think with these data, we have fulfilled our organizational duties.

The PRESIDENT: I now have three speakers on my list - the Ambassador of Austria, the Ambassador of the United States and the Ambassador of Egypt. The representative of Austria, Ambassador Kreid, has the floor.

Mr. KREID (Austria): While we have full understanding for the fact that some delegations are still expecting instructions from their capitals and, therefore, we are not able to take a decision now on the text submitted by Argentina, I still would ask you, Mr. President, not to defer this question in such uncertain terms as I understood you when you spoke previously but, rather, to set a certain fixed date when this decision will again be before us for action. We would ask you to consider this because otherwise we feel that we run the risk of losing the impetus and possibly not succeeding in coming to grips with this subject-matter during the current session.

The PRESIDENT: I thank the Ambassador of Austria. We have taken note of his statement and we will try to bring this matter up as soon as possible, as we have said. The distinguished Ambassador of the United States has the floor.

Mr. LEDOGAR (United States of America): I take the floor in my capacity as Friend of the Chair of the previous but one speaker, the Chairman of the Ad Hoc Committee on NTB - Friend of the Chair for host country agreement, simply to remind colleagues that there will be a meeting - the first meeting, open-ended informal consultations - on this matter five minutes after you have called this meeting to conclusion, taking place in room I, and I believe it will be concurrent with a meeting here in this room that will be chaired by Ambassador Hoffmann, but I will let him speak as to the timing of his meeting.

Mr. ZAHRAN (Egypt): I am not going to speak about expansion because our position is very well known: that all the members, all the candidates of the Group of 23 should be accepted immediately, without any condition, to participate fully in the work of the Conference on Disarmament, on an equal basis with each and every member of the present membership. This is our position which we have defended always, but I was intending to speak, in fact, on the question of the organizational matters within the framework of the Ad Hoc Committee on NTB just to complement what Ambassador Ramaker said. Tomorrow in the afternoon we will take preamble and review because we have worked out a formula which would be, hopefully, the basis of consensus and we hope to finish maybe first with review, then we will take up the question of preamble - hopefully to make some more progress.

The PRESIDENT: I thank the Ambassador of Egypt, Ambassador Zahran, for his statement. I believe that everyone has noted the information which has been provided with regard to the timetable for today and for tomorrow, as well as the timetable that has been circulated for next week. The details with regard to this timetable, I understand, will be given by the Chairman of the Ad Hoc Committee in due course, and on that understanding, I hope that this timetable is acceptable.

It was so decided.

The PRESIDENT: The next plenary meeting of the Conference on Disarmament will be held on Thursday, 13 June 1996, at 10 a.m.

The meeting rose at 12 noon.

CONFERENCE ON DISARMAMENT

CD/PV.738
13 June 1996

ENGLISH

FINAL RECORD OF THE SEVEN HUNDRED AND THIRTY-EIGHTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 13 June 1996, at 10 a.m.

President: Mr. Akram (Pakistan)

GE.96-62234 (E)

The PRESIDENT: I declare open the 738th plenary meeting of the Conference on Disarmament.

I have on my list of speakers for today the representatives of Canada, New Zealand, Switzerland, Germany, Australia, Mexico, Japan, Chile, the Republic of Korea, Norway, Sweden, Belgium, as well as the Chairman of the Ad Hoc Group of Scientific Experts to Consider International Cooperative Measures to Detect and Identify Seismic Events. I now have pleasure in giving the floor to the representative of Canada, Ambassador Moher.

Mr. MOHER (Canada): Mr. President, I wish first of all, on behalf of myself and my delegation, to congratulate you on your presidency of the Conference on Disarmament at this crucial juncture of its efforts to advance the disarmament objectives shared by us all. We know you will devote your very considerable diplomatic skills and substantive knowledge to facilitate our achievement of a good CTBT by the end of this month. We will do our best to work with you to that end.

There are three topics which I wish to address briefly this morning. First, we must refer to the recent Chinese nuclear-test explosion. Canada deplores that test as we have all earlier test explosions. We have been and remain strongly opposed to all nuclear explosions by any State in any environment and under whatever name. Thus, while we welcome China's decision to initiate a testing moratorium by the end of September 1996, we regret China's intention to conduct a further test and call on China to reconsider and cease testing now.

This brings me to the second point I wish to raise this morning. That point arises from the interesting and far-reaching statement made by Ambassador Sha in this Conference on 6 June 1996. Canada welcomes the assertion by Ambassador Sha that "the Chinese Government has made a political decision to participate in earnest in the CTBT negotiations". We had, and have, no doubts in that respect and regard the outline of China's position on a number of key issues contained in the 6 June statement as a useful contribution to our ongoing negotiations. But we do wish to re-emphasize one point upon which Canada has strong views, that is, we do not agree with the concept of so-called peaceful nuclear explosions. Our disagreement concerns both the validity of the concept and its viability (the who, when, where, why and how of its possible implementation). Canada, therefore, has the strongest reservations about the incorporation of this concept in a CTBT. Such incorporation would, at the least, give the concept renewed and updated formal recognition despite 30 years of experience and, at the most, might well encourage ongoing interest in, if not research and development of, this concept. We acknowledge that China does not fully share our views in this respect. Perhaps the Chinese perspective might be reflected otherwise in the negotiating history of our CTBT - for example, by a formal Chinese statement or by a Chinese statement shared by any others interested in the concept, or even by a Presidential statement recognizing that view at the concluding stage of our negotiations. But we sincerely believe that there is no support for the PNE concept in this Conference and thus that its actual inclusion in our collective CTBT should not be considered.

(Mr. Moher, Canada)

The third point I wish to address is that of our ongoing negotiation process. As a deeply committed delegation and as the Friend of the Chair, now moderator, on-site inspection, we are increasingly concerned over the disparity of views and complex of issues which remain to be reconciled and resolved in the extremely brief time period left to us before 28 June. Many delegations seem still to be digging deeper trenches and throwing up higher ramparts to defend initial national positions. But we are now past that stage. Through you, Mr. President, and through our Ad Hoc Committee Chairman, Ambassador Ramaker, we urge all delegations to switch gears - politically and in their negotiation strategies - so as to focus better our time and energies and to expedite compromise. Now is the time of issue integration and conciliation across the breadth of our draft treaty. We must move forward accordingly.

For our part, there are many issues upon which Canada has put forward its positions and proposed compromise solutions. Preamble, Executive Council, entry into force as well as OSI have all been subjects of our suggestions. The discipline of time precludes exploring each in turn here today. But we do hope that these suggestions, already well drawn back from our own national preferences and positions, will help us all to conclude by 28 June, our firm deadline.

Before concluding, Canada has also put forward its positions on two themes of great importance for the future viability, enhanced credibility and continuing success of this Conference. The first is membership. We have for several years now strongly advocated and supported steps to expand the membership of this body so as to respond to all of the applications for full membership before us. Against that background, we support the current initiative to achieve, at least partially, that objective. We hope that effort will be successful as soon as possible and that we will then be able to build on that success for further necessary expansion. As for our future agenda, Canada's position is well known - having been advanced orally and in writing on numerous occasions. We hope early agreement on this theme can be achieved as well.

Disarmament is a vital ingredient, indeed an essential component, of any viable effort to promote true international peace and security. The Conference on Disarmament has a critical contribution to make to such efforts, globally and regionally. We must conclude an effective CTBT within two weeks. And we must begin to look forward to further challenges thereafter. Canada pledges itself to continuing contributions and cooperation in that regard.

The PRESIDENT: I thank the representative of Canada for his statement and for the kind words addressed to the Chair. I now have pleasure in giving the floor to the representative of New Zealand, Ambassador Armstrong.

Mr. ARMSTRONG (New Zealand): Mr. President, let me first congratulate you on the assumption of the presidency. You are presiding over a period in the history of the Conference on Disarmament which could record two outstanding achievements - the conclusion of the CTBT negotiations and the expansion of the membership to include another 23 countries, including New Zealand. Both these goals are of the highest importance to New Zealand,

(Mr. Armstrong, New Zealand)

and it therefore goes without saying that you have my delegation's full support in all your endeavours to guide the Conference to success on both counts.

I have taken the floor to convey to the Conference the New Zealand Government's serious concern and disappointment at the conduct by China of a nuclear test on 8 June. The New Zealand Prime Minister has responded strongly to news of the test. New Zealand considers that it was all the more disappointing because it took place at a time when all other nuclear-weapon States are observing moratoria, and because the CTBT negotiations have reached a crucial final stage. My Prime Minister has also urged China to conduct no further tests, and to lend its full support to the conclusion of the test ban negotiations by the end of June, in particular to confirm its support for a treaty which bans all nuclear explosions and which enables quick and effective investigation of all evidence of treaty breaches. New Zealand's serious concerns regarding this nuclear test have been conveyed to the Chinese authorities in Wellington and Beijing.

The PRESIDENT: I thank the representative of New Zealand for his statement and for the kind words addressed to the Chair. I now have pleasure in giving the floor to the representative of Switzerland, Ambassador Hofer.

Mr. HOFER (Switzerland) (translated from French): Mr. President, this is the first time that my delegation has had the honour of taking the floor under your presidency. On this happy occasion allow me to express my satisfaction at being able to work together with you in this way. I would like to assure you of my delegation's full support to you as you carry out your task at this crucial juncture in the history of the Conference on Disarmament.

Crucial for two reasons. First of all, this institution has reached a point of no return in the negotiations on a comprehensive nuclear-test-ban treaty. In lending full support to the appeal of the Secretary-General of the United Nations, Switzerland fervently wishes to see these negotiations completed by the end of this month. My authorities have already taken the necessary steps which will allow Switzerland to honour the commitments which will stem from the treaty. In particular, Switzerland is ready to offer its services in the important field of verification.

Our support for the work under way can also be seen in our commitment as the host State for the Conference on Disarmament. The Swiss Government, in close cooperation with the authorities in Geneva, is trying to create and further improve the most favourable conditions for the proper functioning of the Conference. Whilst exhausting all the possibilities afforded by observer status in the Conference - I will come back to that in a moment - the Swiss authorities are following with very special attention the international developments which affect the work of the Conference. Thus on 6 June Switzerland took note with satisfaction of the statement made by the head of the delegation of the People's Republic of China on the subject of so-called "peaceful" nuclear tests. On the other hand, Switzerland regrets the Chinese nuclear test carried out on 8 June, and fears the complications that this new explosion may raise during the final phase of the negotiations. The Swiss

(Mr. Hofer, Switzerland)

authorities hope that China will abandon the idea of conducting further nuclear tests before the future treaty enters into force, and that as of now it will observe a moratorium on all nuclear explosions, whatever their nature.

The second problem which I would briefly like to touch upon today relates to the expansion of the Conference on Disarmament to a greater number of members. Such an expansion would be a decisive step towards representing the international community in a manner more in keeping with present-day realities. By bringing in the 23 countries which are candidates for membership, including Switzerland, the Conference could in a much more adequate way promote the aim of arms control and disarmament, to which our peoples and Governments are profoundly attached.

The Conference has before it a clear and unconditional proposal. It is based on a rare and remarkable consensus within a group of States, the G-23. These countries have the priority aim of making a contribution to the Conference and to the international community as full members. Any obstacle placed artificially in the way of their joining clearly runs the risk of preventing the Conference from taking a crucial step in its history. The expansion of the membership of the Conference on Disarmament and the conclusion of the negotiations on the comprehensive nuclear-test-ban treaty could constitute a twofold success which would consolidate the foundations of the Conference with a view to the future work which awaits it. This is why the Swiss authorities make an appeal for the "spirit of Geneva" based on conciliation and on concrete and effective progress, to prevail in these two extremely important areas.

The PRESIDENT: I thank the representative of Switzerland for his statement and for the kind words addressed to the Chair. I now have pleasure in giving the floor to the representative of Germany, Ambassador Hoffmann.

Mr. HOFFMANN (Germany): At the outset, Mr. President, let me congratulate you on the assumption of your important office. As you know, we count on you in your capacity as CD President as well as leader of the Pakistan delegation for our joint efforts to conclude the CTBT negotiations by the end of this month.

Immediately after the Chinese test explosion of 8 June, which was measured by the German primary seismic station, my Minister for Foreign Affairs made the following statement.

> "With regret I have noted the latest nuclear-weapon test of the People's Republic of China. It depreciates the flexible approach China has shown recently over the issue of peaceful nuclear explosions. As I have reaffirmed time and again, I am as a matter of principle against all testing of nuclear weapons. Nuclear-weapon tests are a relic of the cold war and have no longer any justification whatsoever.

(Mr. Hoffmann, Germany)

"Nuclear-weapon tests are contrary to the spirit and objectives of the Geneva nuclear-test-ban treaty negotiations, which have now entered the critical final phase. Nor can such tests be considered in keeping with the results of the New York conference on the extension of the Non-Proliferation Treaty.

"The achievement of a truly comprehensive ban on all nuclear tests, permitting no exceptions whatsoever, is a matter of personal concern to me. Accordingly, we are making every possible effort to bring the Geneva nuclear-test-ban negotiations to a successful conclusion by the autumn of this year."

We listened with great interest to the assurance of Ambassador Sha on 10 June that China will conduct one more nuclear-test explosion and will declare a moratorium thereafter. While we regret that China finds another test necessary, we will welcome the declaration of a moratorium, which will be in line with our common aim to sign a CTBT at the earliest.

The PRESIDENT: I thank the representative of Germany for his statement and for the kind words addressed to the Chair. I now have pleasure in giving the floor to the representative of Australia, Ambassador Starr.

Mr. STARR (Australia): It was with deep regret that my Government learned of nuclear-weapon testing conducted by the People's Republic of China on 8 June. Australia's long-standing and resolute opposition to nuclear testing by any State is well known. Like other non-nuclear-weapon States, we have clearly and repeatedly registered our concerns over recent years, both in public and in private. Consequently, the latest test has, like those before it, been condemned unequivocally by both the Prime Minister of Australia and our Foreign Minister.

We have noted that in connection with this test, the Chinese Government has foreshadowed the introduction of a moratorium on nuclear testing after conducting one final nuclear test before September this year. We have repeatedly urged the imposition of such a moratorium on nuclear testing. In this context, we welcome this positive development in policy. Nevertheless, what we, together with the vast majority of the international community seek, is the complete and final ending - now - of all nuclear testing anywhere and for all time. The prospect of even one more nuclear test compounds the risk posed by last weekend's test. We cannot but regret any undermining of this final and delicate stage of our negotiations on a comprehensive test-ban treaty.

The nuclear test ban we are seeking to negotiate in this Conference, in time for signature at the outset of the fifty-first session of the United Nations General Assembly in September, is critically important. It is a litmus test of the commitment of negotiating States to our common objective. Any that continue to test bear a special responsibility for the successful conclusion of our negotiation in just over two weeks' time.

(Mr. Starr, Australia)

It is clear that the international community as a whole has put behind it the outdated logic of the nuclear confrontation of the cold war. States are determined to wind back the threat posed by the further development and proliferation of nuclear weapons, and have recommitted themselves to these objectives. Continuing nuclear explosions - the tell-tale signs of an ongoing nuclear arms race - have no place in the world we are collectively committed to build.

We therefore strongly urge China, as the only nuclear-weapon State still testing, to join the other nuclear-weapon States in desisting from testing without further delay, pending entry into force of the CTBT.

The PRESIDENT: I thank the representative of Australia for his statement. I now give the floor to the representative of Mexico, Ambassador de Icaza.

Mr. de ICAZA (Mexico) (translated from Spanish): Mr. President, you know how pleased my delegation is to see you chairing the Conference at this important and sensitive stage of our work. We know and appreciate your many qualities and we trust in you to lead us. I would also like to thank the Ambassador of Nigeria, Ejoh Abuah, for the effective way in which he chaired the Conference during his term of office.

Once again the Government of Mexico regrets the fact that a further nuclear explosion was carried out for testing purposes on 8 June, and the fact that the People's Republic of China has announced that it will carry out another test before the month of September. Nuclear tests must cease and must cease immediately. In the present circumstances of international détente, the upgrading of nuclear arsenals is not justified, nor is it compatible with the commitments undertaken by the nuclear-weapon States at the Conference on the extension and review of the Non-Proliferation Treaty, where they committed themselves, barely a year ago, to exercise the utmost restraint where testing was concerned. Such tests generate uncertainties about the international non-proliferation regime.

Explosions aimed at upgrading nuclear weapons or developing the techniques necessary to achieve that upgrading without the need to test them by explosions constitute an obstacle to our efforts to reach agreement this month on a comprehensive nuclear-test-ban treaty that would put an end to the nuclear arms race and allow us to begin a process of eliminating weapons whose mere existence jeopardizes the survival of mankind. The Mexican delegation has repeatedly urged all nuclear-weapon States to observe a testing moratorium until the entry into force of the comprehensive nuclear-test-ban treaty. The announcement by the People's Republic of China that it will impose a moratorium on nuclear tests would respond to our expectations if that moratorium were to be immediate rather than being the consequence of a series of tests which has not yet been concluded.

The PRESIDENT: I thank the representative of Mexico for his statement and for the kind words addressed to the Chair. I now give the floor to the representative of Japan, Ambassador Kurokochi.

Mrs. KUROKOCHI (Japan): At the outset, Mr. President, I would like to express our satisfaction to see you presiding over the Conference on Disarmament at this very crucial period. We are at the final stage of our negotiations on the CTBT and we are fortunate to be able to rely on your skilled leadership at such a challenging time. In this task, and in all other tasks before us in the Conference on Disarmament, I assure you of the fullest cooperation of my delegation. May I also take this opportunity to express my deep appreciation to your predecessor, Ambassador Abuah of Nigeria, for the exemplary manner in which he carried out his important functions? I also wish to warmly welcome Ambassador Fisseha Yimer of Ethiopia, whose participation has already enriched our deliberations.

It is extremely regrettable that China conducted its nuclear test on 8 June, despite repeated appeals by Japan and the international community to stop nuclear testing. The prohibition of nuclear testing is one of the most important tasks in the international efforts for nuclear disarmament. Only last December, the United Nations General Assembly adopted, with the support of numerous countries, its resolution calling for the immediate cessation of nuclear testing. And now, here in Geneva, we are tenaciously working towards the timely conclusion of the CTBT.

Nuclear-weapon States, which enjoy special status under the NPT, bear a heavy responsibility for nuclear disarmament. They have an obligation to respond to the confidence entrusted in them by non-nuclear-weapon States by moving forward nuclear disarmament. China's nuclear testing runs entirely counter to the international efforts toward nuclear disarmament. Japan strongly urges China not to repeat its nuclear testing any further and calls upon China to take a more flexible attitude to enable the early conclusion of the CTBT negotiations. China's nuclear testing this time, ironically, highlights the significance and the necessity for us to have a CTBT as soon as possible. The Conference on Disarmament must meet the expectation of the international community by concluding the negotiations on the CTBT in the coming two weeks.

Taking this opportunity, I would like to say a few words about the CTBT negotiations. We have only two weeks to meet our deadline, but we still have many issues which remain unsolved. Some of these are issues which can be solved without much difficulty. However, there are other issues on which delegations have shown no flexibility. The only way out is to make determined efforts to work jointly towards the convergence of positions. We cannot just throw out all that we have achieved so far. I strongly hope that our negotiations will be more productive in the remaining two weeks so that, under the able chairmanship of Ambassador Ramaker, we can reach the final compromise package. My delegation reassures the Chairman of the NTBT Ad Hoc Committee of our fullest cooperation and would also like to reiterate our appreciation for the Chairman's efforts in producing the draft treaty text CD/NTB/WP.330. We regard it as a tremendous contribution that will facilitate our negotiations during this final stage.

In this connection, concerning the basic obligation of the treaty, I would like to appeal to all delegations to agree to the text contained in CD/NTB/WP.330. I am aware that some delegations would like to have more

(Mrs. Kurokochi, Japan)

in this provision, but it seems that this formulation is the only possible "consensus potential". In order to make this potential a reality, reasonable flexibility is needed regarding the preamble.

With regard to so-called peaceful nuclear explosions, Japan's position has remained unchanged: PNEs should not be allowed under the CTBT. This position is, I would say, almost consensus in the CD. Last week, the distinguished Ambassador of China announced China's decision to change its past rigid position. We regard this move as an expression of China's positive attitude toward the conclusion of the negotiations. Japan continues to urge China to accept the language contained in CD/NTB/WP.330 without any conditions.

As I said before, Japan welcomes and appreciates the Chairman's effort in providing CD/NTB/WP.330 and considers its content to be a fair, balanced "consensus potential". We have, however, a serious concern regarding one article, that is, the entry-into-force provision of the treaty. Japan has been emphasizing not only the importance of the conclusion of the negotiations but also the necessity of early and effective implementation of the treaty. The CTBT must not be only a piece of paper. Once it is concluded, it must become effective as an international law at the earliest date possible. It is Japan's serious concern that the entry-into-force formula presented in CD/NTB/WP.330 is open to too much risk that the future CTBT might not come into effect for decades. We understand the argument that a CTBT which requires the ratification of "key countries" as a condition for entry into force would pressure those countries to ratify the treaty. We consider, however, that the CTBT must be a treaty credible for the international community. If the CTBT had a formula that makes its entry into force unrealistic for a considerable length of time, the international community would question whether such a treaty will ever enter into force.

Many proposals for entry into force are being discussed, but after considering those proposals, Japan believes that the entry-into-force formula stipulating that the treaty enters into force with the ratification of "40 countries including the 5 nuclear-weapons States under the NPT" deserves a fresh look. We have come to the conclusion that it is quite important to put a legally binding ban on nuclear testing on those 5 States because they are the countries that are legally given a special status, though not eternally in our view, to possess nuclear weapons under the NPT. Of course, we are not enthusiastic about giving them the power to hold the treaty hostage, but we believe that they would not be allowed to do so in the international political arena. Therefore, as far as the treaty provision is concerned, the "40 including the 5 nuclear-weapons States" formula serves as a reasonable balance.

We are aware that some delegations insist that three additional countries be included in the "key countries" required as a prerequisite for the entry into force of the treaty. Japan is of the view that this condition will undermine the credibility that the CTBT will enter into force. If we put too many rigorous requirements into the entry-into-force provision, the entry into force of the treaty itself will become practically impossible.

(Mrs. Kurokochi, Japan)

On the issue of on-site inspection, we are fully aware that the negotiations require a series of difficult political decisions for each and every delegation and its capital. However, if each delegation continues to stick obstinately to its own positions, we will never succeed in finding an agreed text. Therefore, at this critical stage of negotiations, it is gravely important for delegations to search for the least unacceptable solutions and to negotiate to find a common formula. In this regard, we are encouraged by the useful exchange of views which took place at the moderator's meeting yesterday, and my delegation hopes that this could lead to a possible breakthrough.

Mr. BERGUÑO (Chile) (translated from Spanish): In this first formal statement under your presidency, Sir, I have the pleasure of paying tribute to your skilled guidance of our debates. Your well-know talent and extensive experience as a diplomat will help to facilitate the search for the fundamental consensuses that are urgently required at this stage of the negotiations in the Conference on Disarmament. Allow me to reiterate my appreciation for the warm words that you spoke concerning the expansion issue when you took up your post as President of the Conference on Disarmament.

I should first like to refer to the valuable contribution represented by working paper CD/NTB/WP.330 from the Chairman of the Ad Hoc Committee on a Nuclear Test Ban for the purposes of the negotiation of a treaty for the comprehensive prohibition of such tests. My delegation considers that this courageous but thoughtful step was absolutely necessary and would like to express its resolute support for the initiative adopted by Ambassador Ramaker. A comprehensive nuclear-test-ban treaty, with the zero option, is possible before the end of the year, but it is not a certainty. If agreement cannot be achieved in 1996, a historic opportunity will have been missed, perhaps for many years. What is at stake is of crucial importance: the failure of these negotiations may give impetus to both horizontal and vertical proliferation of nuclear weapons; it may undermine existing nuclear-free-zone treaties and efforts to reduce nuclear arsenals and move forward towards nuclear disarmament. If a comprehensive nuclear-test-ban treaty is consolidated, the nuclear arms race will decline significantly. Other initiatives, such as the prohibition of fissionable material, could prosper and contribute to the establishment of an agreed framework for systematic and progressive advance towards total nuclear disarmament. Working paper CD/NTB/WP.330 provides clear guidance in that direction, highlighting the critical areas and the political decisions that have to be taken.

For our part, while endorsing the political acceptability of this text, and pending the instructions of my Government on certain provisions, we would like to stress still more the dual nature of our concerns. The first and most fundamental is strictly legal and has to do with aspects connected to the relationship between the future treaty and already existing international disarmament agreements and those that may be established in the future. They are reflected in the preamble, in a subparagraph of article II, in the drafting of the articles on review and withdrawal, and in the proposal for an additional article to govern the interim period between the signing of the treaty and its entry into force. The proposed texts will be distributed in English with a brief explanatory note.

(Mr. Berguño, Chile)

This concern for the progressive development of international law cannot and should not be a matter for surprise when we sit in this Council chamber which honours the memory of Francisco de Vitoria and carries on its wall, in bronze letters, a few words from Francisco Suárez' De Legibus.

The second category of concerns is a practical one and relates to questions such as the financing of the international monitoring system and the arrangements for maintaining and expanding it; contributions to the preparatory commission and the organization; arrangements for access to the international data centre; regional representation in the Executive Council, in which we do not want to see a repetition of the decline in Latin American participation such as occurred with the Convention on Chemical Weapons. My country has expressed its willingness to contribute to the international monitoring system in the form of seismological, radionuclide, hydroacoustic and infrasound stations, for which it would assume responsibility, on the understanding that the costs deriving from decisions on the expansion, additional equipment and technical improvement of the monitoring network will fall on the system as a whole since they involve the whole organization. In this area, we place on record our great pleasure at seeing confirmation in the Chairman's text of the decision on the headquarters of the organization, in Vienna; and learning that preparatory studies have begun on the headquarters agreement under the skilled guidance of Ambassador Ledogar. We hope that this agreement, which relates to the excellent facilities of the Vienna International Centre and facilitates the achievement of the aims of cooperation with the International Atomic Energy Agency (IAEA) set out in article II of the draft treaty, presages other key political understandings for our common endeavour.

In the broader, systematic process in which this negotiation is taking place, major progress has been made, and Chile appreciates its full importance. In particular, we welcome once again the signing of the Protocols to the Treaty of Rarotonga by all the nuclear-weapon States and the signing of the African nuclear-weapon-free-zone Treaty (the Pelindaba Treaty) by the United States. We note the readiness of both the United States and China to continue consultations regarding the difficulties they have encountered with the Bangkok Treaty, which we hope will soon be overcome. We also welcome the statement by Ambassador Slipchenko of Ukraine on the completion of the process of nuclear disarmament in his motherland, which makes it one of the largest nuclear-weapon-free zones in the world. We hope that, on the resumption of the peace process in the Middle East, it will be possible to move forward towards another large zone free of nuclear weapons and weapons of mass destruction. And that, as the machinery for the review of the Non-Proliferation Treaty begins its work, its principles and objectives set out under paragraphs 5, 6, 7 and 8 of the resolution will also be consolidated.

There is no doubt that the conduct of the forty-fourth underground nuclear explosion by China, in the desert of Lop Nor, concerning which my Government has expressed its concern in a statement which I will ask to be circulated as a Conference document, was a discouraging sign; although we note the unilateral moratorium that the People's Republic of China is ready to apply from the month of September, which we would have liked to see applied

(Mr. Berquño, Chile)

immediately. However, of greater importance is the statement made by Ambassador Sha Zukang concerning the way in which the complex question of peaceful nuclear explosions could be resolved. As you know, we are among the delegations that have tenaciously opposed the inclusion of an article on such explosions in a treaty whose purpose is to ban all types of tests. The grounds for our opposition lie in the diversity of legal regimes in internationally enforceable treaties (art. V.2 of the Antarctic Treaty, art. 18 of the Treaty of Tlatelolco and art. V of the Treaty on the Non-Proliferation of Nuclear Weapons). Ambassador Sha has harmonized these contradictory provisions and has found a solution inspired by the Antarctic Treaty formula which, in our view, could appropriately be included in the article concerning the review conference.

Turning to announcements, I am pleased to inform the Conference on Disarmament that the Chilean Parliament has approved the Convention on Chemical Weapons and that the instrument of ratification will soon be deposited, with a desire to make an effective contribution to the entry into force of this important international instrument. This Convention marked an important development in machinery for compliance with and verification of international disarmament treaties. Although its specific nature does not allow us to transfer this machinery automatically to the future comprehensive nuclear-test-ban treaty, the political will displayed in its negotiation must inspire our work. The proper place for these negotiations, the sole global multilateral forum, is the Conference on Disarmament. However, the words used by the Secretary-General of the United Nations in his recent message to this body, when he praised its representativeness in addressing the negotiations on the CTBT, were not appropriate. The Conference, as we all know, is less representative than it was when it was set up, in accordance with rule 1 of the rules of procedure, on the basis of the five acknowledged nuclear Powers and 35 others. This rule should be revised so as to adapt its wording to present-day realities and the effects of decision CD/1356. We are confident that the application of this decision under the clear and categorical terms of document CD/1403 can be carried out successfully, following removal of the obstacles to the adoption of a decision that will put an end to this difficult stage of expansion and open up prospects for the consideration of new candidatures. The proposal made by the United Kingdom, which it said it would not press, presupposes the conclusion of the first stage represented by the identification of the date of the entry of the 23 countries. On both aspects, the admission of the 23 and the consideration of new candidatures, General Assembly resolution 50/72 contains precise stipulations, setting the beginning of the 1996 session for the former matter and the rest of that session for the latter. Chile considers that the resolutions of the General Assembly, adopted by agreement among the members of the Assembly - which involves agreement among the members of the Conference on Disarmament - should be carried out in good faith.

The PRESIDENT: I thank the representative of Chile for his statement and for the kind words addressed to the Chair. I now have pleasure in giving the floor to the representative of the Republic of Korea, Mr. Hwang.

Mr. HWANG (Republic of Korea): Mr. President, since this is the first time for my delegation to take the floor under your presidency, I would like, at the outset, to express my warm congratulations on your assumption of the presidency of the Conference on Disarmament.

With regard to China's resumption of nuclear testing on 8 June this year, I would like to bring to the attention of the Conference on Disarmament the text of the statement of 8 June by the spokesman of the Ministry of Foreign Affairs of the Republic of Korea.

> "The Government of the Republic of Korea deeply regrets that the People's Republic of China once again conducted a nuclear test at such a critical time when international efforts to conclude the comprehensive test-ban treaty (CTBT) have heightened.
>
> "We strongly urge the Chinese Government to halt immediately any planned nuclear testing and to join international efforts for the early attainment of a nuclear-test-free world."

The PRESIDENT: I thank the representative of the Republic of Korea for his statement and for the kind words addressed to the Chair. I now have pleasure in giving the floor to the representative of Norway, Ambassador Skogmo.

Mr. SKOGMO (Norway): Let me join those who have congratulated you, Mr. President, on your assumption of the office of President of the Conference. The task before the Conference during the coming days will require all the diplomatic skills for which you are well known. As stated by my friend and alphabetical neighbour, New Zealand, you will have the historic opportunity and, indeed, the responsibility to preside over two important decisions by the Conference, a CTBT for which the world has been waiting impatiently for more than 30 years, and the issue of CD expansion which is important for the future credibility of the Conference.

My delegation was originally inscribed on a higher and more formal position on the speakers' list for today's meeting. Unfortunately, the visit today to the Conference by my State Secretary, Ms. Siri Bjerke, had to be postponed. My country is presently deeply engaged in negotiations on important regional arms control issues, more precisely, the implementation of the arms control part of the Dayton agreement. These negotiations are very close to a positive result, but a few remaining problems which could not be sorted out during negotiations with the parties in Oslo over the last few days had to be transferred to the Firenze meeting on Bosnia which starts this afternoon.

My country's position on the main issue before the Conference, the CTBT negotiations, has been presented in previous interventions. Let me just add my country's full agreement and support with the comment just made by the distinguished representative of Japan on the provisions for the entry into force of a CTBT.

(Mr. Skogmo, Norway)

The events of the last few days have proved, once again, the crucial importance of a comprehensive test-ban treaty. The Nordic Ministers for Foreign Affairs have, in a joint statement, deeply regretted the nuclear test carried out by China on 8 June. The nuclear test is particularly disappointing in the light of the commitment undertaken by China and the other nuclear-weapon States at the NPT Conference last year to exercise the utmost restraint as regards future nuclear testing, and since the international community is expecting that the CTBT will be concluded by the end of this month. We have, however, taken due note of China's announced unilateral moratorium on nuclear tests to be introduced after the next and final test in September this year.

My country is, of course, as a candidate member of the Conference on Disarmament for some 14 years, deeply involved in the issue of the CD's expansion. We are now very close to a positive result. The obstacles stated and identified by individual members of the Conference have been addressed and removed one by one. We trust and hope that the decision on expanding the CD will be taken without further delay, hopefully even this morning.

The PRESIDENT: I thank the representative of Norway for his statement and for the kind words addressed to the Chair. I now have pleasure in giving the floor to the representative of Sweden, Ambassador Lars Norberg.

Mr. NORBERG (Sweden): Mr. President, I also wish to extend to you very warm congratulations upon your assumption of the presidency of the Conference on Disarmament. I sincerely wish you success in guiding the work of the CD at this very critical moment.

I have asked for the floor to inform the Conference of the following statement made by the Foreign Minister of Sweden, Mrs. Lena Hjelm-Wallén, following the Chinese nuclear-weapon test on 8 June 1996. The Foreign Minister, inter-alia, said: "I deeply deplore the fact that China continues its nuclear testing. We strongly reject these tests and urge the Chinese Government to cease testing and actively contribute to the conclusion very soon of a comprehensive nuclear-test-ban treaty. The Swedish Government gives the highest priority to the conclusion of the negotiations in June this year, not least against the background of the latest test, it is essential to achieve at the earliest an international ban on all nuclear weapons test explosions or any other nuclear explosions".

Let me add in this connection that we have also taken note of the declaration of China to exercise a moratorium on nuclear testing as from a certain date in the months to come. We welcome this declaration which means that once the Chinese moratorium will be established, all the five nuclear-weapons States will observe moratoria on further nuclear testing.

The PRESIDENT: I thank the representative of Sweden for his statement and for the kind words addressed to the Chair. I now have pleasure in giving the floor to the representative of Belgium, Mr. de Roover.

Mr. de ROOVER (Belgium) (translated from French): First of all, Mr. President, allow me to say how pleased my delegation is to see you in the Chair. We are confident that your experience and skill will make an effective contribution to the tasks we have set ourselves.

I am taking the floor today to announce that the Belgian Government is extremely disappointed following the recent nuclear test conducted by the People's Republic of China on 8 June. The development of new nuclear weapons runs counter to the logic of nuclear disarmament which has been pursued in recent years. Belgium notes that the People's Republic of China intends to respect a moratorium on nuclear tests of September 1996. This will be a step forward in the implementation of our efforts with a view to banning all nuclear tests from the planet. My delegation welcomes the positive attitude displayed recently by China and Ambassador Sha in the negotiations on the comprehensive nuclear-test-ban treaty. It is in that spirit that Belgium appeals to China to refrain from all further nuclear tests in the future.

The PRESIDENT: I thank the representative of Belgium for his statement. I now have pleasure in giving the floor to the representative of Mongolia, Ambassador Yumjav.

Mr. YUMJAV (Mongolia): Mr. President, since I am taking the floor for the first time under your presidency, allow me to congratulate you on the assumption of the presidency of the CD at this crucial juncture of its work. We are convinced that your diplomatic skills and your devotion to the cause of disarmament will advance our important common goal to conclude a CTBT.

I have asked for the floor to join those delegations who expressed their concern and disappointment at the conducting by China of a nuclear test on 8 June 1996. Mongolia, as a neighbouring country, regrets that the People's Republic of China conducted a nuclear-weapon test at a time when the other nuclear-weapons States are observing moratoria on tests, and the multilateral negotiations on concluding a CTBT have reached their final decisive stage. The Foreign Ministry of Mongolia deplored the latest Chinese nuclear test and issued a statement. The statement of the Ministry of Foreign Affairs of the People's Republic of China, which was circulated as an official document of the CD, indicates that China will conduct another nuclear test and will exercise a moratorium on nuclear testing. While we regret that the People's Republic of China is going to conduct another test, we welcome the decision of the Government of the People's Republic of China to initiate a moratorium on nuclear testing.

The PRESIDENT: I thank the representative of Mongolia for his statement and for all the kind words addressed to the Chair. I now have pleasure in giving the floor to the representative of the United States of America, Ambassador Ledogar.

Mr. LEDOGAR (United States of America): Mr. President, first, I would like also to express my congratulations to you on your assumption of the presidency at this critical time in the history of the Conference on Disarmament, and to assure you of the full support of my delegation. I would also congratulate your predecessor, Ambassador Abuah of Nigeria, for the exemplary way in which he carried out his responsibilities as President.

(Mr. Ledogar, United States of America)

In an 8 June White House statement concerning China's nuclear testing that day, the United States expressed its deep regret at those developments and urged China to refrain from further nuclear tests and to join in a global moratorium as the Conference on Disarmament works to complete a CTBT text, and to offer the international community an opportunity to sign a comprehensive test-ban treaty by September.

I would also like to welcome the statements today by the Ambassadors of Mexico and Mongolia concerning China's recent testing. Criticism of Chinese nuclear testing by Group of 21 members, other than in the context of criticism of French testing, is very rare and very significant.

The PRESIDENT: I thank the representative of the United States of America for his statement and for the kind words addressed to the Chair. I shall now give the floor to the Chairman of the Ad Hoc Group of Scientific Experts to Consider International Cooperative Measures to Detect and Identify Seismic Events, Dr. Dahlman, who will present the progress report on the Group's forty-forth session, which is contained in document CD/1398.

Mr. DAHLMAN (Sweden): I am pleased to report to you on the meeting of the Ad Hoc Group of Scientific Experts that took place 20 through 24 May and to introduce the progress report from that meeting contained in CD/1398. This GSE session was attended by experts and representatives from 31 countries.

An important remaining task for the Ad Hoc Group is to maintain and develop the extensive investments made in seismic stations worldwide and in the prototype international data centre (IDC). The Group has earlier concluded that the delivery of those facilities in an operational mode to the envisaged Preparatory Commission would be a valuable contribution to the establishment of the IMS in a cost-effective way.

In reviewing the results from its Third Technical Test, which we refer to as GSETT-3, the Group noted that the test is now well into its second year of successful full-scale operation. In all 130 seismographic stations from 45 countries are at present participating on a routine basis. Of these 43 are primary stations, reporting all data continuously to the IDC, and 87 are auxiliary, reporting data on request. Sixty-seven of these operational stations are part of the envisaged IMS network. Efforts are under way to modify the GSETT-3 networks to further approach those of the IMS. I have, together with Mrs. Mackby, the GSE Secretary, and Mr. Mykkeltveit, Norway, the Convenor of the Working Group on Planning, been working with representatives from a number of countries to gain participation in GSETT-3 by new stations that have been proposed for the IMS.

The GSETT-3IDC has continued its successful operations with gradual improvements of its procedures. New extensive computer programs for the detection, association and analysis of seismic signals have recently been implemented. A preliminary evaluation shows that this has significantly increased the quality of the GSETT-3 products.

In its recent evaluation of the first full year of GSETT-3, presented in CD/1385, the Group noted several specific areas in which additional work is

(Mr. Dahlman, Sweden)

needed at the prototype IDC. These include enhancing documentation, improving procedures for data retrieval and processing and continued integration of data from other technologies into the processing system.

To obtain an independent assessment of the status of both hardware and software, with emphasis on documentation, the GSE recommends that an external audit of the prototype IDC be undertaken. This will facilitate the transfer to the future CTBT organization of the methods and software developed at the prototype IDC and of the experience gained from its test operation.

The Group also noted the need for additional work at the national data centres, one important task being to monitor and improve station performance. A number of national reports presented at the Group's session described significant improvements that have already been achieved in the operational performance of individual stations, but it is necessary to continue this work. National data centres (NDCs) also have important work to carry out in the evaluation of GSETT-3 system performance and its products.

In the extensive evaluation of the first year of GSETT-3 referred to earlier it was shown that network calibration is a prerequisite to achieve a location accuracy of 1,000 square kilometres or better at event magnitude 4 and above. It was shown that without calibration the location uncertainty for a third of the events was larger than 1,000 square kilometres even in regions where the station coverage was quite good and approaching that of the IMS networks.

Calibration of a seismic network is in principle similar to the calibration of the sight of a rifle. A expert marksman can place his shots with little scatter, but if his aiming point is not properly adjusted using calibration shots, he might constantly be off the target. In seismology, calibration will compensate for regional variations in the velocities of the seismic signals caused by heterogeneities in the interior of the Earth. It is to be carried out using reference events, either earthquakes well located by nearby local stations or large chemical explosions with known locations. As this work depends on suitable seismic events becoming available in the various regions of the Earth, it takes a long time and requires the participation of many countries around the globe. The Group discussed and agreed on an initial plan for improving event location through calibration. This plan, which is annexed to the progress report, suggests inter-alia the conduct of specific chemical calibration explosions in various regions.

To provide assistance for implementation of the CTBT, the Group recommends that a comprehensive report on GSETT-3 should be completed for the CD by August 1996 and could be made available to the Preparatory Commission. This report should contain, inter-alia, the results and current conclusions of GSETT-3. Following the completion of that report, the Group recommends the continuation of the work begun under GSETT-3 until the Preparatory Commission assumes responsibility, including financing, for the work on establishing the IMS. This would allow for the uninterrupted operation, development and evaluation of the evolving IMS, including the prototype IDC, as well as continued calibration of the IMS. The Group recommends that States

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participating in GSETT-3 plan and schedule transition to those facilities proposed for inclusion in the IMS.

To facilitate the cost-effective transition into the operational system of IMS facilities now in operation in GSETT-3 it is, in my view, important not to close the present international umbrella under which this work is carried out until a new umbrella is established.

The Group noted that training and education of experts worldwide is, and will be, an important issue. The IMS will need trained experts in all monitoring technologies, both at a national level and at the IDC. The Group noted with appreciation that several initiatives have already been taken in this regard both by individual countries and by the experimental IDC and encourages additional such initiatives in the future. I am convinced that training will become a most crucial issue not only to create the expertise needed for the IMS but also to increase the understanding of the treaty and its verification arrangements among the States parties. Extended training efforts will therefore, in my view, be needed early on in the forthcoming work to implement the IMS.

Regional workshops provide an effective means to increase knowledge about GSETT-3 and the future IMS and to encourage wider participation by countries from the actual region. The Group noted with appreciation the convening of such an informal workshop in Pretoria, South Africa for the African region from 22 to 24 April 1996, in which 35 diplomats and experts from 21 countries participated. This workshop followed a similar workshop, previously reported, for the Central and South America region held in Argentina in November 1995. A summary of the results of these two workshops is annexed to the progress report. A third such regional workshop, focusing on participation in the evolving IMS, is being planned for the South-East Asian region in September 1996.

The Group noted with appreciation the convening of an informal international conference on "Technologies to Monitor the CTBT. The Role and the Place of National Data Centres in the International Monitoring System" held in Moscow, Russia from 13 to 19 May 1996. The Conference was attended by 137 experts from 12 countries. The objective was to stimulate discussion on technical aspects of NDC operation. The Conference provided a good opportunity to discuss these issues and is expected to contribute to the process of establishing the IMS.

I will finally also recognize the eminent support provided to the Group by the secretariat, and in particular the Group's Secretary, both at our session in Geneva and in the work between the sessions, especially in our effort to solicit increased participation.

The Ad Hoc Group suggests that its next session, subject to approval by the Conference on Disarmament, be convened from 5 to 16 August 1996. The purpose of this meeting is to review the progress of the ongoing test operation and to complete a comprehensive report on GSETT-3, to complete the

(Mr. Dahlman, Sweden)

calibration plan, to solicit increased participation by stations envisaged for the IMS and, finally, to review the technical standards for the IMS stations in light of the experience from GSETT-3.

The PRESIDENT: I thank the Chairman of the Ad Hoc Group of Scientific Experts to Consider International Cooperative Measures to Detect and Identify Seismic Events for his statement. I wish to inform the Conference that the recommendation contained in paragraph 16 of document CD/1398, to the effect that the forty-fifth session of the Group be convened from 5 to 16 August 1996, will be put for decision at our next plenary on Thursday, 20 June. I now have a request from the representative of China for the floor. I give the floor to Ambassador Sha.

Mr. SHA (China) (translated from Chinese): On 8 June, the Ministry of Foreign Affairs of China issued a statement on China's nuclear testing. I have been instructed to request the distribution of the statement as an official document of the CD. I would like to read the statement as follows.

"China conducted a nuclear test on 8 June 1996.

"China stands for the complete prohibition and thorough destruction of nuclear weapons, and is in favour of reaching a comprehensive nuclear test ban in the process towards this objective. As early as in October 1993, the Chinese Government publicly announced that China stands for the conclusion of the Comprehensive Test-Ban Treaty no later than 1996. Since then, the Chinese delegation has taken an active part in the CTBT negotiations in Geneva. China will continue to work with other countries for the conclusion, within this year, of a fair, reasonable and verifiable treaty with universal adherence and unlimited duration.

"The limited amount of nuclear weapons China possesses is solely for the purpose of self-defence and does not constitute a threat to any country. China has unilaterally and solemnly undertaken not to be the first to use nuclear weapons at any time and under any circumstances. It has also committed itself not to use or threaten to use nuclear weapons against non-nuclear-weapon States or nuclear-weapon-free zones. At the same time, China strongly calls on other nuclear-weapon States for a positive response to China's initiative by immediately concluding, through negotiations, a treaty on mutual non-first use of nuclear weapons, and reaching an agreement on the unconditional non-use or non-threat of use of nuclear weapons against non-nuclear-weapon States or nuclear-weapon-free zones.

"In the world today, there still exist huge nuclear arsenals and the threat of a nuclear war caused by the first use of nuclear weapons. Against such a background, for the purpose of safeguarding the supreme interests of the State and the nation, China cannot but conduct the necessary and the minimum number of nuclear tests. We have all along exercised utmost restraint in conducting nuclear tests, and the number of tests we have conducted is extremely limited.

(Mr. Sha, China

"Together with the Governments and peoples of other countries in the world, the Chinese Government and people will work unremittingly and do their utmost for the realization of the lofty goal of a nuclear-weapon-free world at an early date and for the maintenance of lasting peace and universal security.

"Based on the afore-mentioned position, the Chinese Government hereby announces that before September this year, China will conduct another nuclear test to ensure the safety of its nuclear weapons. After that, China will exercise a moratorium on nuclear testing."

As everybody has noticed, the Chinese Government has declared in the statement that China will implement a moratorium on nuclear testing after September this year. I wish to point out that it is not easy for China to make such a decision. As is known to all, China has conducted the smallest number of nuclear tests among the five nuclear-weapon States. China's nuclear weapons are no match for those of nuclear super-Powers in terms of quantity and quality. Besides, China has unilaterally undertaken not to be the first to use nuclear weapons under any circumstances, and has called for other nuclear-weapon States to undertake the same commitment and to conclude a treaty on mutual non-first use of nuclear weapons. However, some nuclear-weapon States have ignored China's appeal and have so far not responded positively to China's proposal. Despite this circumstance, China declares that it will implement a moratorium on nuclear testing, on the one hand, to respond to the legitimate demand of the broad non-nuclear-weapon States and, on the other hand, to push forward the ongoing CTBT negotiations. China's sincerity in seeking to conclude a CTBT as early as possible is beyond doubt. Just now some delegations of non-nuclear-weapon States have expressed their concern at China's nuclear test and its possible impact on the CTBT negotiations. The Chinese delegation understands their concern. However, a certain nuclear super-Power and its military allies under its nuclear protection have made some unwarranted remarks on China's extremely limited number of nuclear tests, irrespective of China's legitimate security concerns. This is totally unacceptable. The Chinese delegation would like to call upon them to concentrate their efforts on the negotiations and show the necessary flexibility so as to make concrete efforts to conclude the CTBT negotiations by the end of June.

A moment ago, certain delegations again mentioned the question of PNEs. There are different views on this matter, and this is nothing strange. As is known to everyone, PNEs are not a Chinese invention. PNEs are legitimized by the NPT Treaty, and the NPT was not drafted by the Chinese. As is also known to all, China became a party to that treaty more than 20 years later. If some delegations want to use the CTBT to perpetually ban PNEs, then why did they not call for amendment of the NPT at the Review Conference held in May last year, or at many an NPT review conference held before? The Chinese delegation has its own national position on PNEs. However, in order to promote the early conclusion of the CTBT, the Chinese delegation has exercised maximum flexibility. We call upon the relevant delegations to show the same flexibility in order to find a solution acceptable to all. Sticking to each delegation's own national position will only bring to the negotiations negative influences that the Chinese delegation is not willing to see.

The PRESIDENT: I thank the representative of China for his statement. That concludes the list of speakers for today. Does any other delegation wish to take the floor? That does not seem to be the case.

With respect to the issue of expansion of the membership of the Conference, and the proposal for a draft decision presented by the representative of Argentina in document CD/1403, we have had further intensive consultations over the past few days. This morning, some developments have been intimated which apparently require consideration. One regional group has sought an opportunity to have a brief meeting to consider these developments. Therefore, it would be my intention to suspend this meeting for about half an hour in order to allow this regional group to meet in this Chamber, and for others to hold consultations with regard to this issue. Following this suspension, I would intend to reconvene in an informal meeting of the States members of the Conference on Disarmament to discuss the issue. Thereafter, we could reconvene in this plenary meeting. Would there be any objection to this procedure which I have suggested? That does not seem to be the case. This meeting is suspended for about 40 minutes.

The meeting was suspended at 12 noon and resumed at 1.10 p.m.

The PRESIDENT: The 738th plenary meeting is resumed.

With regard to the question of the expansion of the membership of the Conference, the consultations on the matter are still continuing. I will convene Presidential consultations on this issue tomorrow evening at 6 p.m. Following that, we will revert to the matter early next week, perhaps even as early as Monday, and, if necessary, convene a special plenary meeting for this purpose. I hope that this procedure has your concurrence. There is no objection?

It was so decided.

The PRESIDENT: Before we discuss the timetable for next week's sessions of the Ad Hoc Committee in groups, I have a request from the Chairman of the Ad Hoc Committee, Ambassador Ramaker, who has asked me to announce that the meeting of the Ad Hoc Committee on a Nuclear Test Ban this afternoon will take place at 3 p.m. in room III, rather than in room I.

The secretariat has circulated, at my request, a tentative timetable of meetings to be held next week. This timetable was prepared in consultation with the Chairman of the Ad Hoc Committee on a Nuclear Test Ban and is, as usual, merely indicative and subject to change if necessary. The details of the timetable of meetings of the Ad Hoc Committee on a Nuclear Test Ban will be given by its Chairman, I understand, at the meeting of the open-ended Bureau of the Committee which will be held tomorrow.

I would like to inform you that one of the groups has made a request that it requires full facilities for three hours, from 10 a.m. to 1 p.m. on Wednesdays, to discharge all the functions of group coordination at the Wednesday morning meetings. I would suggest that this matter be discussed

(The President)

also in the open-ended Bureau of the Ad Hoc Committee since the timetable for various groups had been evolved as a result of an agreement in those consultations some weeks ago. So, while noting the request of that group, we will take this up, if you agree, in the open-ended Bureau.

The next plenary meeting of the Conference on Disarmament will be held on Thursday 20 June 1996 at 10 a.m. However, as I mentioned earlier, in the context of expansion of membership, we should all be prepared to hold a plenary meeting early next week.

The meeting rose at 1.15 p.m.

CONFERENCE ON DISARMAMENT

CD/PV.739
17 June 1996

ENGLISH

FINAL RECORD OF THE SEVEN HUNDRED AND THIRTY-NINTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Monday, 17 June 1996, at 3.30 p.m.

President: Mr. Akram (Pakistan)

GE.96-62250 (E)

The PRESIDENT: I declare open the 739th plenary meeting of the Conference on Disarmament.

Following further intensive consultations last Friday, and this morning, on the issue of expansion of membership of the Conference, I understand that the Conference is now prepared to take action on the draft decision contained in document CD/1403 according to the procedure agreed upon at the informal plenary meeting we have just held. May I take it that the Conference adopts the decision contained in document CD/1403, with immediate effect?

It was so decided.

The PRESIDENT: I should like, on behalf of all of us, to welcome the 23 new members of the Conference on Disarmament, namely: Austria, Bangladesh, Belarus, Cameroon, Chile, Colombia, the Democratic People's Republic of Korea, Finland, Iraq, Israel, New Zealand, Norway, the Republic of Korea, Senegal, Slovakia, South Africa, Spain, Switzerland, the Syrian Arab Republic, Turkey, Ukraine, Viet Nam and Zimbabwe.

I am informed that I shall be receiving a letter from the 23 new members setting out the manner in which they will cooperate with, and make a contribution to, the Conference on Disarmament.

Allow me to express my deep appreciation for the spirit of compromise and accommodation displayed by all, which has made this decision possible. The fact that the Conference was able to rise to the challenge before it and finally solve this long-outstanding issue, just as we are entering the final phase of the CTBT negotiations, augurs well for the future of the Conference. The decision we have just taken will, indeed, make this forum more representative. I am sure we all look forward to the contribution of the new members to our endeavours.

I should like to take this opportunity to express appreciation to Ambassador O'Sullivan of Australia, who held the consultations on this issue, and to all my predecessors, including Ambassador Mounir Zahran of Egypt and Ambassador Benjelloun-Touimi of Morocco, who have contributed greatly to the successful conclusion of this effort. We owe all of them deep gratitude for their untiring efforts to make this decision possible.

I shall now suspend this plenary meeting for 15 minutes.

The meeting was suspended at 3.35 p.m. and resumed at 3.50 p.m.

The PRESIDENT: The 739th plenary meeting of the Conference on Disarmament is resumed.

I should like to inform the Conference that I have received the letter referred to earlier from the 23 new members of the Conference on Disarmament

(The President)

setting out the manner in which they will cooperate with, and make a contribution to, the Conference. This letter will be circulated as an official document of the Conference.

I would like now to give the floor to the distinguished representative of Cuba, Ambassador Caballero, who will speak on behalf of the Group of 21.

Mr. CABALLERO (Cuba) (translated from Spanish): In my capacity as coordinator of the Group of 21, I wish to make the following statement.

The Group of 21 wishes to express its satisfaction at the decision just taken by the Conference on Disarmament with regard with regard to the expansion of its membership, and to give a warm welcome in our midst to the new members. We are sure that their contribution to our work will be significant. We wish to take this opportunity to recall that our Group was always in favour of the admission of the States identified in the O'Sullivan list. The Group of 21 hopes to establish close cooperation with the new member States.

The PRESIDENT: I thank the distinguished representative of Cuba for his statement on behalf of the Group of 21. I now call on the representative of Romania, Ambassador Neagu, who will speak on behalf of the Eastern European Group.

Mr. NEAGU (Romania): Mr. President, since it is the first time that I take the floor under your presidency, let me congratulate you on the exemplary manner in which you are discharging the difficult task entrusted to the President of the CD, in particular at a time when important developments take place or are about to happen. Hence, your much appreciated diplomatic skills and talent are today generously rewarded through the decision on expansion of the Conference to include 23 new members.

On behalf of the Eastern European Group, I am very p`eased to welcome this historic step intended to bring the composition of the CD, the unique multilateral negotiating body on disarmament, in line with the realities of the post-cold-war era in terms both of representativity and efficiency. It is a long-awaited decision which we, as a group, as well as individual countries, have supported from the very beginning. The Eastern European Group has always expressed a positive, constructive approach as far as the question of CD expansion is concerned, and our sincere desire to speed up the process. We are happy that the spirit of compromise and flexibility has once again prevailed and the Conference achieved a very satisfactory result. Let me wholeheartedly welcome the new colleagues who have joined us in the Conference and express to them, on behalf of the members of my Group, a sincere desire to strengthen our cooperation to the benefit and accomplishment of the challenging tasks of arms control and disarmament lying ahead of us all.

The PRESIDENT: I thank the distinguished representative of Romania for his statement on behalf of the Eastern European Group, as well as for his kind words addressed to me. I now call on Ambassador Sha of China.

Mr. SHA (China) (translated from Chinese): As the coordinator of the Group of 1, I would like to make the following statement.

Today's plenary is a very happy plenary. It is also a plenary of historic significance because today 23 countries after an arduous long march have finally arrived at their destination in becoming members of the CD. The Chinese delegation would like to extend to them our warmest congratulations.

The Chinese delegation has always believed that all countries have the right to participate fully in the work of the CD on an equal basis. An appropriate expansion of the membership of the CD is an outcome of developing circumstances and a contribution to the improvement of the representativeness of the CD. China has always understood, respected and supported the request of the 23 countries. It has always held that the issue of expansion of the CD must be solved immediately without any condition. For reasons known to all, this issue has not been solved until today. It is the view of my delegation that an early solution is better than a later solution and a later solution is better than none. My delegation would like to take this opportunity to indicate that my country, as an independent Group of 1 country, is ready to cooperate closely with the newly admitted members of the CD and make our joint contribution to the development of the international disarmament and arms control cause.

The PRESIDENT: I thank the distinguished representative of China for his statement. I would now like to give the floor to the distinguished representative of Egypt, Ambassador Zahran.

Mr. ZAHRAN (Egypt) (translated from Arabic): A short while ago and following a delay of nearly three years, the Conference on Disarmament adopted the decision to expand its membership. We wish firstly to endorse the statement made by the Ambassador of Cuba on behalf of the G.21 and to stress that Egypt has always been supportive of the expansion package proposed by Ambassador O'Sullivan of Australia in 1993. We have made it clear that we are in favour of expanding the membership of the Conference. Having agreed to expand the Conference on Disarmament by 23 new members, we must bear in mind that other States are also candidates for membership. Egypt would have preferred the decision to cover all the countries which have applied for membership of the Conference on Disarmament.

Nearly three years ago, when we thought that the Conference was about to approve Ambassador O'Sullivan's recommendations to expand the membership of the Conference over which I had the pleasure of presiding, Egypt was going to make a national statement concerning regional security in the Middle East. Regrettably, the conditions which prompted Egypt to prepare such a statement at that time still prevail, and I would therefore like to make a few observations in this regard.

Egypt is hopeful that Israel, now a member of the Conference on Disarmament, will cooperate with all the countries of the Middle East, including Egypt, to achieve progress on the vitally important issue of arms

(Mr. Zahran, Egypt)

control in the region, which must be addressed comprehensively particularly in region as volatile as the Middle East, where the massive military imbalances which currently exist between the military capabilities of the States of the region are incompatible with the requirements of a genuine, equitable, lasting and comprehensive peace in the Middle East. To rectify this situation, several objectives must be achieved. The first is Israel's adherence to the Non-Proliferation Treaty and the placing of all its nuclear facilities under full-scope IAEA safeguards. Such a step would constitute a significant confidence-building measure that would increase mutual trust among all parties in the Middle East. The presence of a de facto nuclear-weapon State in the Middle East, with all the threats and dangers that such a situation entails, cannot be reconciled with the requirements of genuine and comprehensive peace, and it is for this reason that the adherence of Israel to the NPT represents a dire necessity.

Another priority objective which Egypt has been striving to achieve for more than 20 years is the establishment of a nuclear-weapon-free zone in the Middle East. This objective could also be achieved in a wider context in accordance with President Mubarak's initiative of 1990, whereby a zone free from all weapons of mass destruction would be established in this region. So far neither of these two initiatives has been implemented due to Israel's insistence on not forgoing the nuclear option. We hope that the recent signing in Cairo on 11 April 1996 of the African Nuclear-Weapon-Free-Zone Treaty will have positive repercussions on the Middle East, as it reaffirms Egypt's commitment to the objective of nuclear disarmament worldwide, to which Egypt attaches the highest priority and which it hopes will be an issue to be negotiated in an ad hoc committee to be established in the Conference on Disarmament once it concludes the CTBT negotiations. We find it regrettable that the arms control and regional security working group, the ACRS, which was established at the peace conference on the Middle East, has so far not achieved any significant breakthrough despite the diligent attempts made by Egypt to stimulate the pace within the said working group so that it could begin to deal with substantive issues of vital importance. The Israeli refusal to discuss the nuclear question in this context is giving rise to legitimate doubts and fears which cannot be beneficial to the peace process as a whole. For this reason Egypt urges Israel to take a constructive approach to the activities of the arms control and regional security working group, the ACRS, particularly following Israel's admission to the Conference on Disarmament, which should have a positive impact on the Middle East, where mutual confidence and transparency are the only way to ensure that there will be no further outbreaks of violence causing more suffering for all the peoples in the region, as part of our efforts to achieve a comprehensive and just settlement in the Middle East in order to ensure the security of all the States of the region, which necessitates the elimination of nuclear and all other weapons of mass destruction from the Middle East.

The PRESIDENT: I thank the distinguished representative of Egypt for his statement, and now I would like to call on the distinguished representative of the Islamic Republic of Iran.

Mr. BAIDI-NEJAD (Islamic Republic of Iran): Mr. President, since this is the first time that my delegation takes the floor under your presidency, I would like to congratulate you on the assumption of the presidency of the Conference on Disarmament. May I also express the gratitude and full satisfaction of my delegation on the way you have guided the Conference at this juncture?

We have long been advocating the expansion of the membership of the Conference on Disarmament as a matter of principle. It is our firm conviction that an expanded Conference on Disarmament, and hence a more representative Conference, can play a more effective role in the area of international security and disarmament. Moreover, the expansion of membership is essential for the credibility of the Conference, particularly as so many of the candidates for membership have continuously contributed to enrich the negotiations in the Conference.

My delegation, however, has expressed a reservation regarding the membership of one of the candidates in the list, namely Israel. We still believe that the admission of a candidate whose policies have served only to threaten regional and international peace, security and stability would be unwise and not helpful. The policy of Israel in pursuing an active nuclear weapons programme, and thus refusing to join the Non-Proliferation Treaty and to place its nuclear installations under IAEA safeguards, is a major and immediate concern for my country and all countries in the region. Israel is the sole obstacle to the establishment of a nuclear-weapon-free zone and a zone free from weapons of mass destruction in the Middle East. These concerns have been fully shared by the international community in many instances through numerous resolutions in the United Nations General Assembly, and most recently by the unanimous resolution of the 1995 NPT Review and Extension Conference.

Conscious, however, of the fragility of the formula presented for the expansion of the Conference, and recognizing the dedication of many of the incoming members to the work of the Conference on Disarmament, we have decided not to stand in the way of this decision just adopted. This, as many of you are aware, has not been an easy decision, and the matter has had to be seriously contemplated in the light of the strong desire of so many on the list of 23 to see this decision carried. We are confident that these countries will contribute greatly to the negotiations in the CD, and we therefore extend to them a very warm welcome.

The PRESIDENT: I thank the distinguished representative of Iran for his statement and for the kind words addressed to me. I would now like to give the floor to the distinguished representative of Finland, Ambassador Ekblom.

Mr. EKBLOM (Finland): Mr. President, may I start by congratulating you on your assumption of the presidency of the Conference on Disarmament? I have long-standing personal experience of your excellent qualifications for guiding this Conference through its crucial important month of June 1996, and you can count on the full support of my delegation.

(Mr. Ekblom, Finland)

This is a historic day for the Conference on Disarmament. The new composition now better reflects the present-day international situation. Thanks go to all members of the Conference. In particular, I would like to pay tribute to you, Mr. President, to Ambassador Sánchez Arnau of Argentina, to Ambassador Berguño of Chile, and to Ambassador Selebi of South Africa, who once again took the lead in pushing the solution forward. You all had a vital role in achieving the success.

This may not have been a perfect solution. Yet it was achievable. The solution provided the means to overcome the obstacle that related to one applicant country, a problem that prevented agreement on the expansion for three long years. The solution reached should be seen solely in connection with this unique situation within the Conference.

Finland will assume membership of the Conference with a sense of obligation. The task at hand is to promote security and stability for all in today's world. It is work in which we have an interest and a duty to be involved. Finland hopes that the agreement on expansion will add new life - new dynamism - to the Conference on Disarmament.

The Conference on Disarmament remains the sole multilateral negotiating forum on disarmament and non-proliferation issues. This is a tall order. To deliver, and despite accomplishments past and present, the Conference must also learn the art of renewal. Our agenda should cover a whole range of issues, nuclear and non-nuclear alike. The work should concentrate on focused issues where progress can be achieved.

In 1992, the Conference concluded a Chemical Weapons Convention. By the end of June, the negotiations on a comprehensive nuclear-test-ban treaty (CTBT) are to be completed. We support this goal and the efforts of Ambassador Ramaker, the Chairman of the Ad Hoc Committee on a Nuclear Test Ban, in guiding the negotiations to a successful conclusion. After the CTBT, Finland wants the Conference to concentrate on the cut-off, a ban on the production of fissile material for nuclear weapons or other nuclear explosive devices. Regarding conventional arms control, transparency measures as well as anti-personnel land-mines are areas which need to be addressed by the Conference. Finland is ready to work on these questions as well.

For those who applied for membership of the Conference more than 10 years ago, this was a painstakingly long process. Too long. Let me reiterate our view that all the countries that wish to participate in the work of the Conference should be accepted as members of the Conference. Finland therefore proposes that the Conference should nominate a special coordinator to address the remaining applications still in the course of this year.

The PRESIDENT: I thank the distinguished representative of Finland, Ambassador Ekblom, for his statement and for the kind words that he has addressed to me. I now give the floor to the distinguished representative of Israel, Ambassador Lamdan.

Mr. LAMDAN (Israel): Mr. President, since this is the first time that am taking the floor as a new and fully-fledged member of the CD, I should l to express our compliments to you on the way that you have conducted the proceedings thus far. I should also like to congratulate all those who have had a hand in achieving the decision just passed expanding the CD.

It had not been my intention to take the floor this afternoon, but I f constrained, regrettably, to do so in the light of extraneous political elements which have just been introduced into our deliberations by certain delegations. However, I do not wish to detract from the generally celebrato nature of our proceedings this afternoon and, hence, for the time being, I will refrain from addressing those statements in substance. I would simply wish to reserve my obvious right to respond to those statements in full at a early date and when we deem necessary. For the rest, let me say that we are encouraged by the decision taken by the CD, and would like to assure all members that we, Israel, will do our utmost to contribute to the efficacious working of the Conference.

The PRESIDENT: I thank the distinguished representative of Israel for his statement and for the kind words to me, and would now like to give the floor to the distinguished representative of the Republic of Korea, Ambassador Sun.

Mr. SUN (Republic of Korea): I would like to join the previous speake in expressing my sincere appreciation to you, Mr. President, for the most valuable good offices you have provided in bringing about a consensus on the issue of the CD membership expansion. My particular thanks go to the distinguished Ambassador of Chile, Dr. Berguño, and the distinguished Ambassador Selebi of the South African Republic, for their crucial roles in this regard. I also extend my sincere appreciation to all the States partie of the CD for the spirit of compromise and cooperation that they have demonstrated at the eleventh hour of the consultations.

My Government is of the view that the CD has been significantly contributing to the promotion and maintenance of international security and peace. With the expansion of its membership as of today, I hope that the CD will increase its role and contribution to the cause of international peace. As a full member of the CD and commensurate with its economic and other capabilities, the Republic of Korea will spare no efforts in cooperating wit other members of the CD in carrying out its important tasks, including the successful and timely conclusion of the CTBT.

The PRESIDENT: I thank the distinguished representative of the Republi of Korea for his statement and for his kind words to me. I would now like t call on the distinguished representative of Argentina, who will also speak o behalf of the Western Group.

Mr. SANCHEZ ARNAU (Argentina) (translated from Spanish): I think that today we are adopting a decision which, as some speakers have already described it, is truly historic. Especially if we bear in mind that this Conference has not been expanded in terms of the number of its members since 1978, and if we bear in mind that it took us more than three years to be able to finally implement a decision of principle that had already been adopted in August 1993. As the expansion of the Conference materializes today, I think we must pay tribute to the efforts that have been made by all those who laid the foundations which made today's decision possible. First of all, Ambassador Paul O'Sullivan of Australia, who, as Special Coordinator for the expansion of the membership, and after several months of painstaking consultations, submitted on 12 August 1993 the proposal designed to increase the number of members of the Conference as part of a dynamic process for its expansion. Also various distinguished members of this Conference who continued that work, and here we must single out the Ambassador of Egypt, Mounir Zahran, the then Ambassador and now Foreign Minister of Brazil, Luiz Felipe Lampreia, the Ambassador of Morocco, Benjelloun-Touimi, whose work made it possible to adopt decision CD/1356 which we are putting into effect today. As well as the initiatives that were taken by the Ambassador of the Russian Federation, Berdennikov and Ambassador Tarmidzi of Indonesia. We must also, on this occasion, thank you, Sir, for the way in which you have conducted this entire process, Secretary-General Petrovsky for the cooperation he has lent us, and without any doubt the coordinators of the other regional groups who also helped to ensure that we could reach a happy conclusion to this process of adopting the decision that you have just submitted for our consideration. And finally, just to extend a welcome to those who, for too long, have been waiting to become members of this Conference on Disarmament.

The PRESIDENT: I thank the distinguished representative of Argentina for his statement. This concludes our business for today. The next plenary meeting of the Conference on Disarmament will be held on Thursday, 20 June 1996 at 10 a.m. in conference room V.

The meeting rose at 4.30 p.m.